

# THE MARSHA & SYLVIA PLAN

A Guide to a More Just, Equitable City for LGBTQIA+ and TGNCNBI New Yorkers



# TABLE OF CONTENTS

---

**3**

Letter from the Co-Chairs

**6**

Executive Summary

**11**

Arts & Culture

**13**

Education

**16**

Government Operations

**20**

Health

**25**

Housing & Homelessness

**29**

Older Adults

**32**

Public Safety

**38**

Sex Work

**40**

Youth & Foster Care

**42**

Conclusion & Acknowledgments

# LETTER FROM THE CO-CHAIRS

Dear Colleagues:

This session, our community has been under attack in ways we haven't seen in decades. In December 2022, extremists scrawled homophobic graffiti outside of Council Member Erik Bottcher's district office and congregated at his apartment building. There, two right-wing extremists were arrested for trespassing. Council Member Bottcher's office walls were tagged with the word "groomer," a term that conflates queerness with pedophilia as a means to foment anti-LGBTQIA+ sentiment and violence. Other Council Members, including co-chair Crystal Hudson and Shekar Krishnan, saw these and similar extremists come to their homes and harass them. Spurred by the Council's funding and support for the beloved Drag Story Hour NYC program, these bigoted attacks bring to light a necessary truth: Our work to secure and affirm the lives of our LGBTQIA+ (lesbian, gay, bisexual, transgender, queer, intersex, asexual, and more) neighbors is far from over. Drag Story Hour NYC invites our children to see themselves as unique individuals with the right to be whoever they are in the world. It shows LGBTQIA+ youth and their peers alike that their existence is valid—that we all belong. This report places that belief at the center of our legislative processes, empowering us to deliver policies that affirm our place in the city we call home.

These experiences are not unique to New York City. GLAAD counted 141 anti-drag attacks nationwide last year on the heels of conservative media outlets, like Fox News, ramping up coverage on drag. And now, fourteen states are considering legislation to strongly regulate drag performances (not to mention the more than 120 proposed anti-trans bills in state legislatures as well that do everything from ban healthcare for TGNCNBI (transgender, gender non-conforming, non-binary, intersex) youth to prohibiting the discussion of queerness in public schools.

# LETTER FROM THE CO-CHAIRS

---

Drag has long been a bold, subversive, and joyful form of expression for LGBTQIA+ folks. Revealing the restrictions of heteronormative gender expectations, drag has been at the cultural forefront of shifting hearts and minds to embrace all people within the LGBTQIA+ and TGNCNBI community. Now, our neighbors want to police how we express ourselves and bring back the specter of the Walking While Trans Law (aka three-articles law) just two years after the state repealed it. Bluntly, we are in the throes of a severe national backlash, and New York City is no exception. In response, our community must prepare itself and work to make our city as supportive for LGBTQIA+ New Yorkers as possible.

Presently, there is no coordinated municipal policy agenda for LGBTQIA+ New Yorkers. Most of the advocacy to date rightly focuses on the state level, as the State Legislature broadly has greater jurisdiction over many of the issue areas that specifically impact these populations, like housing, criminal justice reform, and education. But, as LGBTQIA+ members of the New York City Council, we understand the need for this caucus to lead on issues over which we have power to effect change.

**This agenda details tangible solutions the City Council can take to combat the myriad injustices facing our communities.** The New York City Council's LGBTQIA+ Caucus, which includes the body's seven LGBTQIA+ members, has a mandate to establish "legislative and budget priorities and the creation of community initiatives, rooted in the tradition of Black Queer feminism, to dismantle systems of oppression, and promote the culture, contribution, and interests of the LGBTQIA+ community in New York City." This report outlines tangible steps we can take to fulfill our mission and provide our allies in the Council with a road map to support our communities.

# LETTER FROM THE CO-CHAIRS

Building on the advocacy of the LGBTQIA+ and TGNCNBI titans who came before us, The Marsha & Sylvia Plan recognizes the work of folks like Marsha P. Johnson and Sylvia Rivera who championed the needs of Black and brown TGNCNBI folks and whose legacy we seek to honor in all we do.

A quick note about language in this report. Throughout this document, we use the acronym LGBTQIA+ to address the broader community and the acronym TGNCNBI when referring specifically to transgender, gender nonconforming/gender expansive, nonbinary, and intersex folks.

Over the next few years, we will organize with Speaker Adams, our allies in the Council, and our colleagues supporting the LGBTQIA+ and TGNCNBI communities across the five boroughs to turn this plan into a reality. Together, we can turn this agenda into law.

In solidarity,



Tiffany Cabán  
Co-Chair, LGBTQIA+ Caucus



Crystal Hudson  
Co-Chair, LGBTQIA+ Caucus



# EXECUTIVE SUMMARY

The New York City Council's LGBTQIA+ Caucus is among the largest in the City Council's history. With seven out and proud LGBTQIA+ members, the Caucus represents nearly 14% of the Council's 51 members. Caucus members represent diverse districts spanning neighborhoods ranging from Chelsea and Harlem in Manhattan to Crown Heights and Bedford-Stuyvesant in Brooklyn to Astoria and Forest Hills in Queens to Mid Island in Staten Island. Each of these widely different neighborhoods has at least one thing in common: a robust and active population of LGBTQIA+ residents.

Currently, more than 700,000 adults in the New York City area identify as LGBTQIA+, the largest LGBTQIA+ population of any U.S. city according to a [2021 analysis](#) from the Williams Institute at UCLA School of Law. These LGBTQIA+ New Yorkers reflect the diversity of our city. More than half identify as white, while 26% identify as Latinx and 13% identify as Black. Nearly one in four LGBTQIA+ people in New York are raising children.

Our City Council has recently made a concerted effort at tackling the systemic issues facing many of these intersectional identities our LGBTQIA+ neighbors hold. In August 2022, the Council [passed](#) a package of bills aimed at addressing the maternal mortality crisis that overwhelmingly harms Black women and birthing folks. Two months later, the Council [approved](#) a package to bolster support for survivors of domestic violence. And in February 2023, the Council voted on a [number of bills](#) aimed at strengthening pay equity laws in New York City.

Many Council Members are also personally prioritizing the advancement of marginalized communities. Notably, Council Member and LGBTQIA+ Caucus Co-Chair Crystal Hudson [authored](#) A Black Agenda for New York City that spells out six bold policy recommendations to establish a more equitable and just city for all, and fellow Council Member and LGBTQIA+ Caucus Co-Chair Tiffany Cabán [penned](#) a twelve-point agenda to advance gender equity in the wake of the Covid-19 pandemic.

# EXECUTIVE SUMMARY

The Council — which is a majority women for the first time in history and led by the first Black woman elected Speaker of the City Council — is finally prioritizing the rights of marginalized communities. Given this, there has never been a more opportune time to advance a platform that addresses the needs of the LGBTQIA+ community.

Presently, there is no coordinated, municipal-level agenda aimed at addressing the myriad needs of the diverse, multifaceted LGBTQIA+ community in New York City. Many city-level elected officials may not know how to provide support other than marching in Pride once a year, issuing statements decrying homophobic and transphobic attacks, hosting a Drag Story Hour at a local library near them, and putting a Progress Pride Flag in their office. To be clear, these are important and helpful actions that help raise visibility of LGBTQIA+ people and show them that their local elected officials support them. But these actions do not advance substantive measures to address systemic issues facing LGBTQIA+ people in our city.

This report aims to make it easy for allies within city government to understand what LGBTQIA+ folks need and what lawmakers can do to meet those needs across nine issue areas: Arts & Culture; Education; Government Operations; Health; Housing & Homelessness; Older Adults; Public Safety; Sex Work; and Youth & Foster Care.



# EXECUTIVE SUMMARY

## Arts & Culture

1

*The Council must recognize the work of LGBTQIA+ artists and support the newest activists and artists by providing them the resources needed to advocate for and represent their communities.*

- Baseline at least \$5 million in funding for LGBTQIA+ cultural organizations
- Recognize the accomplishments of LGBTQIA+ and TGNCNBI New Yorkers by passing resolutions to (1) recognize Transgender Day of Remembrance/Transgender Day of Visibility, (2) call on the federal and state governments to formally nominate Hudson River Park at Gansevoort Peninsula as a historical site to honor Marsha P. Johnson at the site of her death, and (3) commemorate the work of Black and Latinx trans women
- Rename the former Queensboro Bridge
- Establish laureate programs for the drag and ballroom communities.

- Expand all-gender facilities in public schools;
- Strengthen support for LGBTQIA+ educators and student groups
- Bolster income access and job security programs for LGBTQIA+ youth by baselining funding for the Unity Works Program
- Enhance anti-LGBTQIA+ bullying and harassment reporting requirements

2

## Education

*The Council must prioritize the safety of LGBTQIA+ students, parents, and teachers across school communities, and continue to work with its partners in the state legislature to build supportive programs and systems within schools for LGBTQIA+ students.*

- Create and fully fund an Office of LGBTQIA+ Affairs
- Nominate and appoint more LGBTQIA+ individuals to citywide posts
- Establish a targeted local hiring program for LGBTQIA+ New Yorkers to build on the progress of the Pride at Work Initiative

## Government Operations

3

*The Council must ensure New York City's government has the resources and systems in place needed to support the nation's largest LGBTQIA+ population.*



# EXECUTIVE SUMMARY

## Health

4

*The Council must expand access to free and low-cost health services for LGBTQIA+ and HIV-affected New Yorkers and combat national efforts to restrict access to gender-affirming care by making New York a safe haven for all TGNC people seeking care.*

- Ensure all New Yorkers have access to free PrEP/PEP regardless of insurance status or immigration status
- Prohibit city agencies from cooperating with or providing information to out-of-state agencies seeking to prosecute individuals seeking lawful Gender-Affirming Care in New York City
- Baseline at least \$15 million to support nonprofits that provide TGNC-specific, affirming, and competent services
- Allocate \$10 million to expand services in Street Health Outreach and Wellness units for unhoused LGBTQIA+ people

5

## Housing

*The Council must support the expansion of supportive housing and shelter beds for LGBTQIA+ people, especially youth, and strengthen protections to keep these New Yorkers safely housed.*

- Create a housing task force to develop detailed recommendations to support and create more LGBTQIA+ housing
- Baseline at least \$10 million to support nonprofits that specialize in LGBTQIA+ youth housing and related services, including operators of youth shelters
- Direct DYCD to open and operate more tailored facilities for LGBTQIA+ young adults
- Expedite the adoption of *Lopez v. DHS* settlement stipulations regarding TGNC individuals including the creation of dedicated shelter units for TGNC people and more

## Older Adults

6

*The Council must ensure LGBTQIA+ older adults can age in place with dignity and receive the culturally-appropriate support services they need.*

- Establish a specific commission within NYC Aging for LGBTQIA+ older adults
- Build more LGBTQIA+ specific housing for older adults and assess the existing model to determine how to better set aside housing for LGBTQIA+ and HIV-affected older adults
- Mandate LGBTQIA+/HIV anti-discrimination and competency training for all older adult service providers
- Provide free sexual health and wellness programming at older adult centers

# EXECUTIVE SUMMARY

## Public Safety

7

*The Council must overhaul how our city ensures the safety of its people, especially women and LGBTQIA+ people of color, to reduce the overrepresentation of LGBTQIA+ people at every stage of the criminal justice system.*

- Improve services for TGNCNBI people while in custody and during reentry by requiring city agencies like the Department of Correction to recognize “X” gender markers, create a resource navigator program for LGBTQIA+ people in DOC custody, and require DOC to assess all people in custody for their risk of victimization and establish an appeals process for anyone denied housing based on their gender identity
- Change legal language in city laws to eliminate harmful and dehumanizing language regarding people in custody
- Establish Community Safety Centers and Hate Response Funds
- End the NYPD’s Vice Squad and replace it with peer-led programming to help New Yorkers navigate and mediate community complaints, and aid LGBTQIA+ people access legal, housing, and other services

- Introduce city-level protections for sex workers, including a compensation fund for online and other sex workers who have been deplatformed, establishing city recognition of sex worker labor organizations, and more
- Continue funding the \$4.4 million Persons Involved in the Sex Trade Initiative to support citywide organizations that provide services for sex workers
- Support sex work decriminalization in the state legislature

8

## Sex Work

*The Council must recognize once and for all that sex work is work and ensure it enacts robust protections for sex workers.*

- Allocate at least \$5 million to aid ACS in recruiting parents from within the LGBTQIA+ community and ensuring placements for LGBTQIA+ youth are affirming and safe
- Allocate \$5 million for community-based family acceptance programming and mental health services to promote family acceptance and in-home reparative intervention so fewer LGBTQIA+ youth will be kicked out of their homes
- Pass legislation requiring ACS to report on the number and placement of LGBTQIA+ foster youth and youth in the juvenile legal system

## Youth & Foster Care

9

*The Council must overhaul our city’s youth foster care and juvenile delinquency systems to better support LGBTQIA+ youth and ensure they have the resources needed to transition successfully to independence.*

# ARTS & CULTURE

LGBTQIA+ New Yorkers have made this city what it is. In every medium from dance to theater, photography, and visual art, LGBTQIA+ folks are the leaders of their disciplines. They have redefined genres and expanded the perception of LGBTQIA+ folks in a positive manner. Our city must move to not only recognize the work of trailblazing LGBTQIA+ New Yorkers but also support the newest wave of LGBTQIA+ artists and activists by providing them with the resources they need to continue their work.

## **Bolster funding for queer cultural institutions**

New York City is home to some of the most unique LGBTQIA+ cultural institutions in the world. The Leslie-Lohman Museum of Art is the only dedicated LGBTQIA+ art museum in the world. And the soon-to-come American LGBTQ+ Museum will be the first major museum in the nation that centralizes the history of LGBTQIA+ people in America. Historically, the City Council has supported these and other organizations through discretionary funding. The City should instead baseline at least \$5 million in funding for LGBTQIA+ cultural institutions to support their programming and operations so New Yorkers across the five boroughs can experience and learn about our city's queer history and culture.

## **Recognize the accomplishments of trailblazing LGBTQIA+ and TGNCNBI New Yorkers**

Our city has a long way to go in recognizing the feats of our LGBTQIA+ trailblazers, and this Council can right that wrong by moving to formally acknowledge the accomplishments of trailblazing LGBTQIA+ New Yorkers. The Council must pass:

- [Res. 116](#) to recognize November 20th as Transgender Day of Remembrance and March 31 as Transgender Day of Visibility in New York City;
- Legislation to rename the former Queensboro Bridge to honor a queer New Yorker with a history of fighting homophobia, transphobia, and racism in New York City;
- A Local Law calling on the City to establish a public inventory of all significant sites, spaces, structures, or historic districts associated with the LGBTQIA+ community;
- A resolution to call on the federal and state governments to formally nominate Hudson River Park at Gansevoort Peninsula as a historical site to honor Marsha P. Johnson at the site of her death; and
- [Res. 553](#) to commemorate the work of Black and Latinx trans women like Marsha P. Johnson and Sylvia Rivera in advancing the rights of LGBTQIA+ folks in NYC and across the nation.

# ARTS & CULTURE

## **Celebrate drag and ballroom culture by establishing laureate programs**

Drag and ballroom have been two of the most important cultural creations of the LGBTQIA+ community, establishing safe spaces for LGBTQIA+ folks to express their identity in community. Only in recent years have both drag and ballroom begun to break through to mainstream culture through TV shows like RuPaul's Drag Race, Pose, and Legendary and documentaries like Paris is Burning. Fundamentally, it was Black and brown New York-based performers who have made both drag and ballroom what it is, and our city must celebrate and uplift these performers. The Council must pass [Int. 418](#) to create a drag laureate program wherein the Department of Cultural Affairs and the Office of Nightlife would appoint a drag laureate to serve as an ambassador to local businesses and LGBTQIA+ spaces. It must also pass similar legislation to create a ballroom ambassador who can advocate for the needs of the ballroom community and educate New Yorkers on the history of ballroom.

## **Support LGBTQIA+ and TGNCNBI pride in the public realm**

During Pride Month in June, many LGBTQIA+ neighborhoods take to their streets to advocate for needed reforms while also raising visibility of the needs of the LGBTQIA+ communities. Some LGBTQIA+ establishments in Manhattan and Brooklyn have established formal or informal rainbow crosswalks to honor the importance of the LGBTQIA+ community in specific areas. The Council should pass legislation requiring the Department of Transportation, in coordination with community stakeholders, to identify up to ten locations, at least one in each borough, for the establishment of a permanent rainbow crosswalk near or at a site of historic significance to the LGBTQIA+ community.



# EDUCATION

There are more than one million students in New York City's public schools, the most diverse public school system in the world. Our city's students deserve the richest, most fulfilling educational experiences and the ability to learn in a safe, welcoming, and warm environment. In 2022 alone, nearly a dozen new anti-LGBTQIA+ laws went into effect across the country. Mostly targeting school curricula and communication by limiting or prohibiting the mention and discussion of queer identities in public schools, these policies have exacerbated a youth mental health crisis, with the mental well-being of 85% of trans and nonbinary students adversely affected by these bigoted measures. It's not only students feeling the deep pain of bigotry: LGBTQIA+ teachers, school administrators, and other educational staff are similarly impacted. LGBTQIA+ teachers are accused of pushing "woke gender ideology" by asking students for their pronouns, displaying photos of their families on their desks, and assigning readings that include LGBTQIA+ characters.

Here in New York City, we're witnessing an uptick in transphobic attacks (including against drag performers) attacks, with extremists sowing hatred outside of schools, libraries, and local organizations. While us New Yorkers have long prided ourselves on our commitment to equity and inclusion, now is the time to actively strengthen LGBTQIA+ rights, tangibly support LGBTQIA-friendly schools, and redouble our efforts to build safe and supportive school communities for all.

## **Expand all-gender facilities in public schools**

Currently, approximately one in twenty youth identify as non-binary or transgender, with the number anticipated to rise in the coming years. As more young people feel comfortable coming out as TGNCNBI, the need for all-gender facilities will only increase. Currently, the city's plumbing code requires separate facilities for each sex and has a minimum number of plumbing features for facilities. Because many public schools are older buildings that are not designed to accommodate many single stall restrooms, the Council must amend the city's plumbing code to permit for the creation of more all-gender spaces.

# EDUCATION

## **Increase funding for LGBTQIA+ Inclusive Curriculum Initiative**

In FY23, the city dedicated \$2.8 million to fund the Department of Education's (DOE) "effort to support the needs of LGBTQ youth and address the intersectionality of race, sexual orientation, and gender identity through DOE's general curriculum." This year, we urge the Council to increase funding for this important initiative and to allocate specific funding to purchase more LGBTQIA+ literature for school libraries. The city should follow the lead of organizations like Lambda Literary, which has served LGBTQIA+ writers and readers for nearly 30 years, and further elevates LGBTQIA+ stories and voices in children's and young adult literature. Many studies have shown that the inclusion of an LGBTQIA+ curriculum leads to safer, more positive school environments and fewer instances of bullying and exclusion. Where New York City leads other cities follow: By publicly and unapologetically recommitting efforts to LGBTQIA+ education initiatives, we can help push back on the pervasive anti-LGBTQIA+ hate rippling across the country and make clear that we are a safe city for all LGBTQIA+ folks.

## **Support LGBTQIA+ led and centered groups in schools**

To further honor our city's commitment to LGBTQIA+ friendly school communities, we encourage the Council to support LGBTQIA-led and LGBTQIA-centered groups in public schools, including Gender and Sexuality Alliance (GSA) student clubs, and provide support for LGBTQIA+ educators, who may also face discrimination in the workplace. Additionally, we urge Council members to use their discretionary funding in LGBTQIA-friendly ways by bringing Drag Story Hour to their local schools, libraries, community spaces, and open streets, and to publicly defend the enriching, creative, and beloved program. Further, we urge the Council to stand with LGBTQIA+ organizers fighting for recognition and inclusion at private educational institutions, like those at Yeshiva University.

## **Bolster income access and job security programs for LGBTQIA+ youth**

As nearly 40 percent of homeless youth identify as LGBTQIA+, it is imperative to provide them with resources that will put them on a path to financial stability. The Council must work with the Administration to baseline funding for the Unity Works Program, which successfully provides workforce development support to LGBTQIA+ homeless youth and young adults and to expand Direct Cash Transfer programs for the same population.

# EDUCATION

## Enhance anti-LGBTQIA+ bullying and harassment reporting

A 2018 report from the Comptroller's office found that schools under-reported bullying incidents compared to the amount of bullying that actually occurred. The city needs to enhance its reporting from the DOE to understand the full scope of bullying and harassment at schools, especially for LGBTQIA+ and TGNCNBI youth. The Council must pass legislation requiring the DOE to submit an annual report to the Council that summarizes the outcomes of the annual school survey completed by parents both citywide and for individual schools. The report should include an analysis that compares the school survey results with bullying incidents reported per the Chancellor's regulation A-832. The Council should also host oversight hearings regarding the implementation of policy changes agreed upon in recent settlements of bullying-related litigation.

## Establish designated LGBTQIA+ student support groups across all CUNY campuses

CUNY currently has an LGBTQI+ Hub to support the needs of queer students across its many campuses, including a liaison at each campus. However, some campuses do not currently have a student support group to support LGBTQIA+ students on campus. The Council should support the creation of LGBTQIA+ student support groups at all of CUNY's 25 campuses.

## Support state legislation to improve school environments for LGBTQIA+ students

The Council must pass resolutions in support of a handful of state legislative proposals that combined, help combat discrimination and ensure inclusive curricula for LGBTQIA+ folks, including:

- S1532/A4576 to require local boards of education and school districts to establish policies and procedures regarding the treatment of TGNCNBI students;
- Legislation to require New York State to establish and maintain educational standards and professional development programs designed to ensure all educators in New York are knowledgeable about the needs of transgender and gender non-conforming students.
- S351/A4375 to mandate that schools teach middle and high school students about the political, economic, and social contributions of LGBTQIA+ people; and
- A4604 to require comprehensive sexuality education for K-12 students (Res. 240).

# GOVERNMENT OPERATIONS

For a city that is home to the Stonewall Rebellion, ballroom culture, and some of the most renowned LGBTQIA+ spaces in the world, our government is woefully behind in being responsive to the needs of LGBTQIA+ New Yorkers. Our city still does not have a centralized hub for resources for LGBTQIA+ folks and has limited data on the LGBTQIA+ folks living and working in our city. We must work to strengthen the internal structures in City Hall to ensure the needs of the LGBTQIA+ communities are top of mind and addressed in real-time by establishing an Office of LGBTQIA+ Affairs.

## **Create and fully fund an Office of LGBTQIA+ Affairs**

Right now, our city has no fully-staffed and fully-funded central hub where LGBTQIA+ folks can go to find resources specific to their communities, comparable to the specific offices that address racial and gender equity, other than the one-person NYC Unity Project. The Council must pass an amended version of [Int. 719](#) to establish an Office of LGBTQIA+ Affairs to promote city programs, policy coordination, and community outreach and education with respect to issues of concern to LGBTQIA+ communities. The Council must ensure this office is robustly funded and adequately staffed to serve the needs of the hundreds of thousands of LGBTQIA+ New Yorkers in our city. It must also fight for an LGBTQIA+ liaison at every city agency, who can work with the Office of LGBTQIA+ Affairs to coordinate a response to address the needs of LGBTQIA+ New Yorkers.

## **Collect comprehensive data on LGBTQIA+ New Yorkers**

Right now, our city has limited data on its LGBTQIA+ population. Because there is no Census question asking folks about their sexual orientation or gender identity, we have few regularly updated data sources available that help us understand the scope and diversity of our city's LGBTQIA+ community. By gaining a greater understanding of what our community looks like, our city's elected officials can tailor their work to address the needs of the most marginalized parts of our already marginalized community. The Council must pass legislation that requires the city to conduct an extensive survey of the LGBTQIA+ population in New York City. The survey should use standard polling methodology to identify the number of LGBTQIA+ folks living in New York City, disaggregated by sexual orientation, gender identity, age, home neighborhood, income, occupation, and other relevant socio-economic factors. The survey should also seek to understand the extent to which LGBTQIA+



# GOVERNMENT OPERATIONS

folks use city services and which services they use. Any survey responses must be kept anonymous, and participants should be notified that their responses will be collected anonymously and that any information shared will not be held against them.

## **Nominate and appoint more LGBTQIA+ individuals to citywide posts**

The City Council can nominate and vote on a number of individuals to citywide posts. According to the New York City Charter, the Council has “advise and consent” authority over the Commissioner of Investigation and members of the Art Commission, Board of Health, Board of Standards and Appeals, City Planning Commission, Civil Service Commission, Landmarks Preservation Commission, Tax Commission, Taxi and Limousine Commission, and public members of the Environmental Control Board. The Council has 30 days after receiving a nomination to hold a hearing and act on it. Additionally, the Council routinely has the authority to nominate members of various task forces or other bodies established by Council legislation. The Council must ensure that LGBTQIA+ folks are considered for these positions and increase the number of LGBTQIA+ folks appointed to these positions and any other citywide positions.

## **Establish an LGBTQIA+ Immigrant Empowerment Initiative**

As a safe haven to countless populations fleeing persecution and discrimination abroad, New York City also serves as a safe haven for many LGBTQIA+ immigrants seeking a more accepting community and home. As such, many LGBTQIA+ New Yorkers are foreign-born. And, once in the city, they face unique challenges, like navigating a complex medical system, establishing new support networks, and identifying providers who understand their culture and speak their language. To support this significant segment of the LGBTQIA+ community, the Council should allocate baseline \$550,000 to fund nonprofits serving LGBTQIA+ immigrants by aiding with issues like legal assistance, immigration workshops, asylum applications, housing support, job readiness, and more.

# GOVERNMENT OPERATIONS

## **Establish a targeted local hiring program for LGBTQIA+ New Yorkers**

In FY23, the New York City Council established the Pride at Work Initiative, which aims to bring more LGBTQIA+ folks into good-paying, union jobs. This initiative was a hard-fought win, and we need to build on its success to ensure robust employment opportunities for our community. The city must establish and fund a targeted local hiring program for vulnerable New Yorkers, including LGBTQIA+/TGNCNBI folks to provide a pipeline into Civil Service careers without onerous exam requirements.

## **Mandate single-facility unisex bathrooms in government buildings**

In 2016, then-Mayor Bill de Blasio signed Executive Order 16, which “requires all City agencies to ensure that City employees and members of the public have access to single-sex facilities such as bathrooms and locker rooms in City buildings and areas consistent with their gender identity or expression without being required to show identification, medical documentation, or any other form of proof or verification of gender.” The Council must codify this Executive Order and add new language that ensures all newly constructed government spaces include single facility unisex bathrooms.

## **Condemn homophobic and transphobic language from elected officials or government staffers**

In recent months, elected officials in New York City and across the nation have been rightly criticized for making homophobic and transphobic comments about their peers or constituents. From calling their peers “groomers” to supporting hateful protests, these elected officials have largely faced little to no accountability. The city must ensure all who engage in blatant homophobia or transphobia are held accountable for their actions in a means that is commensurate with their action. The Council must establish a clear policy that is upheld and enforced for all members that delineates clear repercussions for any anti-LGBTQIA+ actions.

# GOVERNMENT OPERATIONS

## Study budget equity for LGBTQIA+ providers across the five boroughs

According to a 2022 study by the Brooklyn Community Pride Center, the New York City Council has historically failed to invest in the three boroughs with the largest concentrations of LGBTQIA+ residents: Brooklyn, Queens, and the Bronx. With growing concentrations of LGBTQIA+ folks living in the outer boroughs, the Council must ensure budget equity for LGBTQIA+ community centers and providers. The Council must conduct an audit of discretionary funding allocated toward all LGBTQIA+ providers to determine whether it is adequately funding organizations that serve the outer boroughs.

## Support efforts to expand the Lorena Borjas Transgender and Non-Binary Wellness and Equity Fund to \$4 million

Lorena Borjas was a Queens-based, Mexican-American, transgender activist who passed away in 2020 due to complications from Covid-19. She personally supported many LGBTQIA+ and TGNCNBI folks in Queens by assisting them in dealing with police harassment, substance use disorder, and other problems. In 2011, Lorena and attorney Chase Strangio founded the Lorena Borjas Community Fund to help break the arrest-jail-deportation cycle of many noncitizen transgender sex workers. After Lorena passed in 2020, transgender activists called for a \$15 million trans equity fund in New York State. Ultimately, Governor Hochul signed into law a bill in June 2022 that secured \$2 million in baselined funding to support organizations that serve the TGNCNBI community. Given how state and local governments across the nation are working to undermine the rights of TGNCNBI folks, it is more important than ever to strengthen our investment in organizations that serve many of our most marginalized neighbors. As such, the Council must support efforts to double the fund to \$4 million in the final adopted FY24 New York State budget.



# HEALTH

LGBTQIA+ New Yorkers are among the most medically vulnerable in our city. Many folks have difficulties accessing proper care due to discrimination or are unable to find providers equipped to meet the unique needs of many LGBTQIA+ folks. Some may be mis-gendered or unable to find a low-cost or free provider for costly gender-affirming care. And though New York City is home to some of the world's most notable hospitals, these facilities remain out of reach for some LGBTQIA+ New Yorkers, many of whom are uninsured or underinsured — especially Black and brown transgender and gender nonconforming New Yorkers. Our city must build on its work supporting LGBTQIA+ people by expanding access to PrEP and PEP, bolstering mental health support for LGBTQIA+ folks, baselining funding for gender-affirming care, and more.

## **Expand outreach and distribution of PrEP and PEP throughout NYC**

Pre-exposure prophylaxis (aka PrEP) is one of the most effective tools for combating the spread of HIV/AIDS, as it reduces the risk of contracting HIV through sexual intercourse by 99 percent when taken properly. Yet, our city does not have comprehensive data to understand the prevalence of PrEP use in our city, data that can be used to understand where we must increase resources to ensure all communities have access to PrEP and understand its benefits. The Council must pass Int. 825, which would require the Department of Health and Mental Hygiene (DOHMH) to undertake an exhaustive study of the distribution of PrEP in New York City, including the number of individuals receiving PrEP, the number of individuals receiving outreach on PrEP, the number of city staff administering PrEP, and the number of staff conducting outreach on PrEP. The Council must also pass Res. 395, which calls on the state legislature to pass and the governor to sign legislation (S3297 & S3227) to increase access to PrEP and post-exposure prophylaxis (PEP). The city must also ensure that all eligible New Yorkers have access to free PrEP and PEP regardless of insurance status or immigration status, mandate training for all city staffers who work with assault victims to discuss PEP, offer a free prescription in the medical location of initial contact, and provide information on PrEP/PEP to individuals in city jails.

# HEALTH

## Expand Ending the Epidemic Initiative to incorporate more Black- and brown-led organizations

Since FY17, the Ending the Epidemic Initiative has funded organizations to support prevention, education, outreach, and support services that align with the statewide plan, Ending the Epidemic, to reduce new HIV infections. According to the [state's ETE dashboard](#), we're still far off our statewide targets to increase the number of individuals filing PrEP prescriptions to 65,000 (44,046 statewide in 2021) and to reduce the number of new HIV infections by 55% to 1,515 (2,123 statewide in 2021). According to [DOHMH data](#), the bulk of new diagnoses in New York City are primarily among Black (44% of new infections in NYC) and Latinx (37%) New Yorkers. The Ending the Epidemic Initiative, funded at [\\$9.55 million](#) in FY23, has gotten us far and can get us even further with targeted resource allocation. This Initiative must be enhanced so it can include more organizations that specifically serve Black and brown LGBTQIA+ folks to ensure the complexities of the intersectionality of race and gender identity/sexual orientation are understood and their needs met.

## Continue monitoring and fighting Mpox in New York City

The Mpox (formerly known as monkeypox or MPV) crisis took New York City by storm in summer 2022, with our city scrambling to respond to the dual crises of Covid-19 and Mpox. Last year, the city saw [nearly 4,000 Mpox cases](#), primarily in Black and Latinx men, and the dispersal of more than 150,000 vaccine doses, including more than 52,000 New Yorkers who received both doses of the two-dose JYNNEOS vaccine. Though the city has declared the end of the current outbreak, another outbreak or Mpox variant could bring yet another crisis to the LGBTQIA+ community. The Council must pass [Int. 620](#) and [Res. 294](#) to ensure our city is prepared for any subsequent outbreak. Int. 620 would require DOHMH to develop a plan to prevent the spread of Mpox, conduct relevant outreach and training on the disease including prevention and transmission, and coordinate with agencies to ensure that communities most at risk of contracting the virus have strong vaccine access. It should also fund organizations specifically to continue conducting outreach on Mpox so folks understand how it is transmitted and how to identify symptoms.

# HEALTH

## Support folks seeking gender-affirming care in New York City

Currently, dozens of state legislatures are considering proposals to prohibit gender-affirming care for youth, which some states define as 26 years old and younger. Some of these bills criminalize health care providers who provide this care. New York City must double down on its status as a safe haven for LGBTQIA+ folks seeking gender-affirming care. The Council must pass legislation to prohibit the NYPD from cooperating with or providing information to any individual or out of state agency or department regarding the provision, seeking, or assistance in provision or seeking of lawful gender affirming care performed in New York City and prohibit any police officer from arresting a person for performing or aiding in the performance of gender affirming care within New York City. It must also prohibit city agencies, including DHS and HRA/DSS, from denying services to TGNCNBI individuals in city facilities if they are deemed too fragile or high maintenance for the facility following surgical care, and focus on creating additional housing for New Yorkers experiencing homelessness who have received gender-affirming surgery.

## Baseline funding for TGNCNBI-affirming care

A 2022 report from the Williams Institute at UCLA found that the number of young people identifying as transgender nationwide has doubled in recent years, with 3% of all New York youth ages 13 to 17 identifying as trans — the greatest percentage of any state. As it becomes safer for more TGNCNBI folks to come out and embrace their gender identity, our city must increase its support for these folks to ensure those without the resources for necessary interventions receive the care they need. The city should baseline at least \$15 million annually in funding for nonprofits that provide trans-specific, affirming, and competent services. This should also include funding for services that insurance and existing non-profit providers may not currently cover, such as cryogenic storage for semen or eggs for TGNCNBI folks who may be interested in having a biological child after they transition. It should also cover LGBTQIA+ community outreach workers to engage with TGNCNBI people in navigating affirming care, surgery, aftercare, insurance problems.

# HEALTH

## **Notify TGNCNBI patients of their rights at city hospitals**

Many TGNCNBI folks may be concerned about visiting city hospitals because physicians or other personnel may not recognize or affirm their identities and may not deliver the care they need. The Council must pass [Int. 66](#), which requires DOHMH to ensure city hospitals have signage that notifies folks of their right to be referred to by their preferred name, title, gender, and pronoun and to establish guidance for hospitals to list and post transgender-specific services they offer.

## **Bolster mental health support for LGBTQIA+ New Yorkers**

LGBTQIA+ folks, especially LGBTQIA+ youth, are more likely than their cisgender, heterosexual counterparts to experience mental health conditions. According to the [National Alliance on Mental Illness](#), lesbian, gay, and bisexual adults are more than twice as likely as heterosexual adults to have a mental health condition while transgender folks are nearly four times as likely as cisgender adults. Many LGBTQIA+ folks face rejection within their community, housing insecurity, substance use issues, and other traumas that compound and result in mental illness. To begin addressing this issue, the Council must pass legislation requiring DOHMH to create a standing advisory committee composed of advocates within the community to address how to improve mental health services for LGBTQIA+ New Yorkers. The committee should issue annual reports detailing policy and budget recommendations for the Administration and City Council to consider. Additionally, the city should establish a pilot program, similar to the CUNY ASAP program, that incentivizes LGBTQIA+ people to study for degrees in mental health services.

## **Expand sexual wellness services in Street Health Outreach and Wellness units**

As [approximately 40%](#) of the homeless youth population identifies as LGBTQIA+, our city's street outreach activities should specifically target the needs of this population. The Council must allocate \$10 million to expand services in Street Health Outreach and Wellness units for unhoused LGBTQIA+ folks to include sexual wellness services like PrEP/PEP access, condom distribution, and referrals to H+H LGBTQIA+ outreach workers.

# HEALTH

## Increase support for older New Yorkers with HIV and long-term survivors

Three out of five people living with HIV are 50 or older, and 77% of those are people of color. Yet the unique intersectional needs of HIV positive older adults are often underrecognized and unaddressed. We must promote and fund programming that increases the collaboration between HIV and aging providers across the city to create more effective approaches that improve the health and well-being of older people living with HIV. Support for New Yorkers who are currently living with HIV — many of whom are long-term survivors and have been living with HIV for decades — is just as vital as our work to end the epidemic. The aging community living with HIV in New York City will continue to grow and there must be a strong and intentional strategy to improve access to care and services.

## Support statewide reforms to bolster LGBTQIA+ health

The state legislature is considering a handful of measures that will address long-standing disparities in healthcare for LGBTQIA+ folks. The Council must pass resolutions supporting the following proposals:

- [S4287/A1936](#) to prohibit New York State from engaging with contractors who fail to provide health insurance that covers services for TGNCNBI folks;
- Legislation to require the State Department of Health to conduct a public information campaign regarding medically unnecessary interventions for people born with intersex traits ([A5627/S5399](#));
- [S2475](#) to make New York State a safe haven for gender-affirming care for TGNCNBI folks and prohibit law enforcement from cooperating with other state investigations; and
- [S183/A2418](#) to amend the Social Services Law to mandate local social services departments connect people living with HIV with benefits and ensuring folks living with HIV who receive housing assistance do not pay more than 30 percent of their household income towards housing costs.





# HOUSING & HOMELESSNESS

The scope of New York City’s housing crisis is widely covered, and solutions—from new developments and upzonings, to office conversions, social housing, and tenant protections — are plentiful. Often lost in the conversation about the housing crisis, however, are the specific communities most at risk of displacement and homelessness. LGBTQIA+ youth have a 120 percent higher risk for homelessness than other youth, and queer youth comprise as much as 6 percent of the general population but make up 40 percent of the homeless youth population in NYC. With rates of homelessness and housing instability associated with increased risk of mental health struggles and suicidal ideations, it is paramount that New York City officials prioritize LGBTQIA+ New Yorkers in all new housing policies and embrace Housing First for all New Yorkers. As such, the Council must support the creation of shelter beds, permanent supportive housing rooms, and deeply affordable apartments for homeless and low-income LGBTQIA+ New Yorkers and expand protections, programming, and reporting requirements to keep folks safely housed.

## **Create a housing task force to develop detailed recommendations to support and create more LGBTQIA+ housing**

Solving LGBTQIA+ homelessness and housing instability will take an all-hands-on-deck approach, and the Council must pass legislation to convene a multi-agency task force charged with identifying how to support and create more housing responsive to the specific needs of the LGBTQIA+ community across all ages. The task force — which should also include representatives from commercial and nonprofit developers, impact investors, service organizations, and end-users — would review how to:

- Preserve existing affordable housing for older adults;
- Support existing LGBTQIA+ affordable elder housing with adequate funding to address the disparities faced by LGBTQIA+ elders;
- Expand emergency shelter operations to ensure DHS has capacity to serve LGBTQIA+ adults in every borough;
- Reintroduce the Supervised Independent Living Program (SILP) program for LGBTQIA+ youth exiting foster care and seeking alternative permanent living arrangements;
- Determine the feasibility of creating an office under DHS or HPD specifically dedicated to tackling the LGBTQIA+ homelessness crisis and ensuring folks can transition to permanent, supportive housing;
- Ensure the safety of TGNCNBI youth is considered as a factor of housing policy;

# HOUSING & HOMELESSNESS

- Develop new LGBTQIA+ affirming housing options and innovative LGBTQ+ elder housing models; Create more permanent supportive housing units for LGBTQIA+ youth; and
- Create access to LGBTQIA+ friendly support services in residential settings, Senior Affordable Rental Apartments (SARA), and NORCs (naturally occurring retirement communities).

## **Baseline funding for programming and operations of LGBTQIA+ youth housing**

To address the LGBTQIA+ youth homelessness crisis, our city must deeply invest in moving young LGBTQIA+ folks from the streets to permanent housing. The first part of that process is to ensure there are sufficient emergency shelter/temporary housing options that provide comprehensive services for LGBTQIA+ youth and understand the trauma experienced by these young people. The city must baseline at least \$10 million to support nonprofits that specialize in LGBTQIA+ youth housing and related services, including operators of LGBTQIA+ youth shelters. The funding should also be used to bolster LGBTQIA+ youth respite services and to hire more housing navigators in homeless youth drop-in centers that can support LGBTQIA+ youth in securing permanent housing and peer navigators to support homeless youth in drop-in centers for runaway and homeless youth with everything from access to public assistance to STI prevention. The Council must also pass legislation ([Int. 976](#)) to report on the number of LGBTQIA+ youth in NYC Department of Homeless Services (DHS) custody, including the type of facility they are located in, availability of wraparound services, related incident reports of hate crimes or discrimination, and more. The bill should also be amended to require specialized training for any staff involved in the collection of this data to ensure any collected data remains confidential and that the data process is not re-traumatizing for the youth

# HOUSING & HOMELESSNESS

## **Direct DYCD to open and operate more tailored facilities for LGBTQIA+ young adults**

With homelessness among LGBTQIA+ youth remaining high and too many existing shelters and supportive housing programs not tailored to their unique needs and experiences, the Council must work with DYCD to open and operate more tailored facilities for young LGBTQIA+ adults, including but not limited to expediting the creation of transitional independent living programs for young adults living with severe and persistent mental illness, establishing new shelters for LGBTQIA+ youth, creating more homes for members of the NYC ballroom community, and more. The Council must also pass legislation directing DYCD to grant providers greater discretion in serving age ranges they feel most appropriate for their facilities.

## **Expedite the adoption of Lopez v. DHS settlement stipulations regarding TGNC individuals**

In November 2021, trans activist and head of STARR, Mariah Lopez, won a groundbreaking settlement against the Department of Homeless Services that changed how TGNC people are treated in our city's shelters. Under the settlement, the city agreed to (1) establish dedicated shelter units and shelters for TGNC people; (2) amend the intake process to require shelter staff to record clients' preferred names and pronouns and better accommodate TGNC people; (3) require mandatory training for staff on the rights of TGNC clients in shelters; and (4) amend DHS' complaint procedure. The Council's Committee on General Welfare must hold regular oversight hearings to determine whether DHS is upholding the settlement. Additionally, the Council must secure additional funding for the Office of the Ombudsman to bolster capacity and staff, and also pass legislation that would establish a 24-hour phone hotline within the office, require the office to provide case specific guidance in navigating the complaint process, and expand services to be available 24 hours a day/7 days a week.

# HOUSING & HOMELESSNESS

## Require DHS to submit quarterly reporting on the conditions at Marsha's House

While the city attempts to tackle the youth homeless epidemic, we must ensure that LGBTQIA+, single adults are not left behind. Currently, there is only one shelter specifically for LGBTQIA+ adults in the entire city, Marsha's House, located in the Belmont neighborhood of the Bronx. Since opening in February 2017, the shelter has been marred by controversy, with allegations of sexual harassment, drug use, and assault. The Council has a duty to guarantee the safety of every New Yorker in our care, with a particular responsibility to those most vulnerable. Those seeking shelter and services at Marsha's House have no other option and, therefore, it is critical that we ensure it is not only a safe respite for the LGBTQIA+ adults currently in its care, but also an attractive option for those currently homeless. The Council must pass a bill requiring DHS to submit quarterly reports on the conditions in the shelter, including the following metrics:

- Number of people who come into the shelter;
- Number of people who leave the shelter and why;
- Number of people who are denied access to the shelter and why;
- The services provided at the shelter;
- The LGBTQIA+-inclusive training received by staff; and
- Number of people leaving because they secured permanent housing.



# OLDER ADULTS

Many of the LGBTQIA+ New Yorkers who have fought tirelessly to make New York City a safe haven for LGBTQIA+ people are now advancing in age and looking to age in place with dignity. The number of older adults in New York City is expected to jump 41 percent by 2040, according to a recent report from the Department of Health and Mental Hygiene. And many of those older adults identify as LGBTQIA+. Older adults broadly wish to age in place rather than move to a new city or into a congregate setting. A recent AARP survey found that 77 percent of older adults want to age in their own homes. Our city must begin working towards being truly age-friendly and identify and meet the needs of older adults from marginalized communities, including LGBTQIA+ older adults.

## **Establish a specific commission for LGBTQIA+ older adults in NYC**

LGBTQIA+ older adults face specific challenges, from discrimination based on age and sexual orientation or gender identity to shrinking support networks as chosen family members (e.g. people considered family who are not actual kinfolk) begin to pass away to difficulty navigating healthcare systems specifically for LGBTQIA+ folks. While partners like SAGE and the Movement Advancement Project have conducted in-depth research on LGBTQIA+ older adults, our city needs to create structures to act on this research and ensure the unique needs of this population do not fall through the cracks. The Council must pass Int. 564, which would require NYC Aging to create a commission for LGBTQIA+ older adults that would identify challenges, share best practices, and develop expert recommendations on ways to improve the quality of life of LGBTQIA+ older adults.

## **Build more LGBTQIA+ specific housing for older adults**

New York City is home to a handful of housing facilities that are tailored to the needs of LGBTQIA+ older adults. In Fort Greene, SAGE's Stonewall House provides 145 affordable housing units for New Yorkers, half of whom identify as LGBTQIA+, and has a 7,000-square-foot community center that provides programming for this community. By living in identity-affirming housing, LGBTQIA+ older adults will not need to worry about discrimination and will be able to find community, which can be especially difficult for older LGBTQIA+ folks who may lose their chosen family as they age. The city should partner with groups like SAGE and others to operate at least one LGBTQIA+ housing facility in each community district. The city should also

# OLDER ADULTS

embark on an assessment of the current model to determine whether it adequately services the LGBTQIA+ population and identify improved ways to set aside housing for LGBTQIA+ and HIV-affected older adults.

## **Mandate anti-discrimination and competency training for older adult service providers**

Too many older adult providers do not have the training needed to understand the complexities of issues facing LGBTQIA+ and HIV-affected older adults. The Council must pass Int. 623 requiring older adult service providers to receive training on discrimination on the basis of sexual orientation and gender identity and legislation to ensure all older adult service providers undergo an LGBTQIA+ cultural competency course to understand the complexities facing this population. Int. 623 should also be amended to include HIV competency training to best support the growing number of New Yorkers aging with HIV. There are multiple barriers to care and services for older New Yorkers living with HIV including stigma, insensitive or unrelatable language, and lack of representation that all act as barriers to potentially life-changing services. The Council must also pass legislation requiring NYC Aging, in coordination with the Mayor's Commission on Gender Equity and other offices and relevant agencies, to identify and implement metrics for any contracted providers that address the provider's LGBTQIA+ competency.

## **Expand NYC Aging's outreach to LGBTQIA+ and HIV-affected older adults**

Many LGBTQIA+ and HIV-affected older adults may be unaware of the various resources the city provides to them. While NYC Aging has engaged in robust outreach campaigns like the "Join Us" campaign to bring more older adults back to older adult centers, the agency should also tailor an outreach component to the LGBTQIA+ community and older adults living with HIV. The Council must pass legislation that would require NYC Aging to create a formal outreach strategy to the LGBTQIA+ community and older adults living with HIV, in coordination with relevant city agencies and offices, to explain available resources for LGBTQIA+ and HIV-affected elders, including programming for older adults who are considering transitioning.

# OLDER ADULTS

## Provide free sexual health and wellness programming at older adult centers

Sexual health is a core component of healthy aging and LGBTQIA+ and HIV competent sexual health and wellness programming should be strongly encouraged at older adult centers across New York City. Talking about sex and sexuality can be an empowering experience and older adults need access to supports that help ensure their sex lives can be rewarding and safe. The Council should pass legislation mandating that all older adult centers provide regular culturally-competent and age-targeted sexual health and wellness programming. Additionally, any sexual health campaigns, including those about access to PrEP and PEP, should feature older adults.

## Support statewide efforts to improve the lives of LGBTQIA+ older adults

The Council must pass resolutions supporting legislation in the state legislature that will help protect LGBTQIA+ older adults, including a resolution in support of [S1783/A372](#) to establish the LGBT long-term care facility residents' bill of rights.



# PUBLIC SAFETY

The ability of LGBTQIA+ New Yorkers to live full, healthy, and joyful lives is predicated on their ability to exist safely at home, at work, in transit, and while socializing. Sadly, LGBTQIA+ people, particularly women and LGBTQIA+ people of color, are not only at a heightened risk of violence compared to their straight and cisgendered peers, but they are also overrepresented at every stage of the criminal justice system. With extremists peddling anti-LGBTQIA+ misinformation campaigns online and influencing policy, like Florida's discriminatory "Don't Say Gay" law, and targeted mass violence on the rise, the safety of LGBTQIA+ New Yorkers has never been more important.

## **Protect TGNCNBI people while in custody and during reentry from sexual and physical violence and provide greater support**

Currently, the Department of Correction (DOC) is woefully unprepared to support TGNCNBI folks while they are incarcerated. In its first report, released in August 2022, the Task Force on Issues Faced by TGNCNBI People in Custody found that "even up to the point of publishing this report, organizations represented on this Task Force continue to receive confusing and mixed reviews as to how TGNCNBI people can be brought through intake within DOC in the most affirming manner possible." The task force noted that gender expansive folks are commonly routed through the incorrect intake and "endure days to weeks in custody that is misaligned with their gender identity." As such, many TGNCNBI individuals may be placed in a housing unit that matches their sex assigned at birth but not their gender identity, stripping them of a gender-affirming space while incarcerated and placing them in danger of physical and sexual violence from other people who are incarcerated and corrections officers. Most notably, TGNCNBI people in custody face physical threats (rape, sexual assault, physical violence), inadequate supports (inability to access basic necessities because of fear to leave their cells), and frequent verbal harassment (misgendering, misnaming, and other forms of verbal harassment). The Task Force released recommendations aimed at ensuring all related agencies and organizations revise documentation and data systems to "accurately capture all gender identities." The Council and the city must immediately adopt all of these recommendations.



# PUBLIC SAFETY

Additionally, to ensure TGNCNBI folks receive the gender-affirming care they deserve while incarcerated, the Council must pass:

- Legislation to require DOC and other city agencies to recognize “X” gender markers;
- Int. 831 to establish a resource navigator program that centralizes resources for women and gender-expansive folks in DOC custody in locating reentry services that matches their unique needs;
- Res. 117 calling on the state legislature to pass and governor to sign a bill that would create an Office of Court Administration to update the securing order form to include a gender X option; and
- Int. 887 to require DOC to provide a monthly report on individuals in DOC custody whose gender identity is different from the sex assigned to the individual at birth regarding their housing unit placements, denial/objections to housing unit placement, and any violence propagated against those individuals (including amendments proposed by The Legal Aid Society at the January 25, 2023 hearing).

Most importantly, the Council must also pass Int. 728 to require DOC to assess all people in custody for their risk of victimization at intake or during transfer and to create an appeals process to TGNCNBI folks who request specific housing based on their gender identity. The current bill should be amended based on the recommendations of legal service providers like the Legal Aid Society. The amendments include, but are not limited to:

- Providing that housing is based on gender identity unless A. the individual does not wish to be housed based on gender identity or B. DOC can demonstrate by clear and convincing evidence that a person poses a current danger of committing gender-based violence;
- Implementing stronger due process protections, such as providing written determinations with counsel and creating an appeals process, to ensure transparency in decision making; and
- Providing confidential space prior to transportation out of a courthouse where a person can disclose which intake facility is appropriate.

# PUBLIC SAFETY

## **Change legal language to emphasize the personhood of people who are incarcerated**

TGNCNBI New Yorkers often survive at the intersection of many socio economic burdens. They disproportionately face food, shelter, and employment insecurity, race-based and gender-based discrimination, and immigration status issues. They are also notoriously policed and criminalized, and thus disproportionately likely to be incarcerated. Additionally, lesbian, gay, and bisexual people are more likely to be arrested than straight people, according to research from the [Prison Policy Institute](#). We need to ensure that LGBTQIA+ and TGNCNBI folks have their humanity and identity recognized at every step of the process. As such, the Council must pass [Int. 925](#) to amend the city's charter, administrative code, plumbing code, and building code to eliminate the harmful and dehumanizing language of "inmate," "prisoner," and "incarcerated individual" to use person-first language like "persons incarcerated" and "persons in custody."

## **Increase funding for Mental Health Crisis Response Teams and other Evidence-Based Strategies**

With LGBTQIA+ people, especially LGBTQIA+ youth, more likely to be stopped by police than their straight, cisgendered counterparts, and too many police interactions leading to injury or harm, the Council should expand and improve the city's mental health crisis response program. The city already has an alternative responder program, operating in just a few neighborhoods in the city, that dispatches an EMT paramedic alongside a mental health professional from NYC Health + Hospitals as first responders to people experiencing a mental health emergency. Instead of decreasing funding to this pilot program, as the Mayor recently proposed, the Council should fight to strengthen and improve the alternative responder program, expand the City's mobile crisis teams, and establish new [Clubhouses](#) all across New York City.

# PUBLIC SAFETY

## **Address rising hate crimes by establishing Community Safety Centers and Hate Response Funds**

While New York City has not yet experienced the wave of anti-LGBTQIA+ and, in particular, anti-trans, legislation seen in other parts of the country, hate crimes against the City's LGBTQIA+ community are up by nearly 50%. To address a multitude of safety concerns by LGBTQIA+ folks and others with marginalized identities, we support the launch of a Community Safety Center pilot program: a neighborhood-based one-stop shop for community-led alternatives to criminalization that focus on violence interruption, restorative justice, and services-based approaches. When a community member experiences an act of hate violence, they could access support and resources at the Community Safety Center. Additionally, we support the creation of a citywide Racism and Hate Response Fund to ensure that trauma experienced as a result of hate violence will not be further compounded by financial precarity.

## **Create an inventory of LGBTQIA+ safe spaces**

To ensure LGBTQIA+ New Yorkers patronize establishments expressly committed to their safety, we urge the Council to pass legislation requiring the City's Small Business Services (SBS) to conduct an outreach program to small businesses to identify sanctuary spaces for LGBTQIA+/TGNC/NB folks. SBS would provide a sticker for the door of the business that indicates they're a sanctuary space and would post a list of all safe spaces online.

## **End the NYPD's Vice Squad and replace it with peer-led programming**

The NYPD's Vice Squad, a notoriously abusive and costly division, is tasked with policing "quality of life" offenses like sex work, massage work, narcotics, and gambling. While the Vice Squad purports to target trafficking, their tactics have resulted in false arrests with little evidence and the death of Yang Song, a sex and massage worker, during one of their raids. Former sex workers have called for the Vice Squad's budget to be used, instead, for peer-led, multi-lingual outreach to massage workers, street-based sex workers, and trafficking survivors. Peers would help navigate and mediate community complaints and could connect vulnerable workers with access to legal, housing, and other services. These services should be administered through an agency that is not the NYPD.

# PUBLIC SAFETY

## Support state legislation to improve conditions for incarcerated LGBTQIA+ New Yorkers

As allies in the New York State Legislature introduce bills to improve the health and safety of LGBTQIA+ New Yorkers, the Council must support their passage by joining their public advocacy, introducing complementary resolutions, and, where possible, introducing city-level bills that could be more quickly passed. A non-exhaustive list of promising pieces of legislature at the State level or ideas for state lawmakers to develop include:

- The Gender Identity Respect, Dignity and Safety Act ([S2860/A709](#)), which establishes that incarcerated individuals be presumptively placed in a correctional facility with persons of the gender that most closely aligns with the person's self-attested gender identity;
- Legislation to prevent judges from considering the adult's sexual orientation, gender identity, or gender expression when determining a child's best interests in a custody dispute ([S996](#) last session); and
- Legislation to expand data collection under Kendra's Law to identify the number of involuntary commitments of LGBTQIA+ folks, as proposed by [Equality New York](#).



# SEX WORK

New York City's economy does not work for everyone. Flexible, high-paying jobs are nearly impossible to come by and far too many workplaces refuse to hire members of the LGBTQIA+ community, immigrants, undocumented folks, pregnant people, parents, English language learners, and people with disabilities. While some sex workers' entrance is survival sex work (especially youth), selling services because they have few to no other options to put food on the table, others begin (and stay) because they make good money, create their own schedule, and find it empowering. Whatever reason a New Yorker first begins engaging in sex work and whether they are looking to leave the field or stay long-term, the city has a responsibility to protect their health and safety, support their economic self-sufficiency, and build the caring, non-judgmental society all workers deserve.

## **Introduce city-level protections for sex workers**

While state action is essential, local legislation can go a long way in protecting workers in NYC today. Advocates and organizations like [Decrim NY](#) and [Red Canary Song](#) have long identified the needs, and organized themselves in mutual aid efforts that could be formalized by the city. A comprehensive bill to improve conditions and increase protections for sex workers would include but are not limited to:

- A compensation fund for online and other sex workers who have been de-platformed or have lost access to banking;
- City recognition of sex worker labor organizations;
- City recognition of massage worker labor organizations;
- Prohibition against NYPD seizing the property of massage parlor workers, cashiers, and other nonowners;
- Prohibition against NYPD arresting individuals for unlicensed massage pursuant to Ed. Law Sec. 6512 & 6513;
- Reiteration of prohibition against any city agency communicating someone's status as a current or former sex worker to the federal government, or to state agencies except where required by law;
- Free legal counsel to sex workers, massage workers, and survivors of trafficking to vacate records must be part of a bill of rights;
- Prohibitions against criminal or civil penalties for sex worker organizing; and
- Prohibitions against using past or present sex work for adverse consequences in child protective proceedings.

# SEX WORK

## **Continue funding for City Council’s Persons Involved in the Sex Trade Initiative with a special focus on sex worker-led organizations**

In 2019, the City Council launched a new initiative, Supports for Persons Involved in the Sex Trade, to provide funding to organizations that offer “services including health care, legal assistance, housing, emergency shelter, and case management to persons involved in the sex trade.” In FY23, the Council designated \$4.4 million to the initiative but, in recent years, has received criticism about the organizations receiving funding. The LGBTQIA+ Caucus urges the Council to provide funding via this initiative to organizations who honor the legitimacy of sex work and are accessible and nonjudgmental in their approach.

## **Support sex work decriminalization and support for LGBTQIA+ survivors of violence in the New York state legislature**

By driving sex work underground, continued criminalization of sex work (even criminalization of just the “buyer” side) leads to diminished health and safety outcomes among sex workers. In 2021, the New York state legislature took the significant step of finally repealing the harmful Loitering for the Purpose of Engaging in Prostitution Statute that disproportionately targeted and arrested trans women of color (even those not involved in the sex trade). This year, we urge the New York state legislature to pass The Stop the Violence in the Sex Trades bill (S4396) which would decriminalize commercial sex while maintaining criminal penalties for trafficking, coercion, sexual abuse, abuse of minors, and rape.

Additionally, temporary orders of protection disenfranchise the most marginalized New Yorkers by making housing, employment, and education even more difficult to obtain while they await their day in court. They are issued at the beginning of the court case, before any investigation, based upon police reports. These orders have immense consequences for young people, LGBTQIA+ people, criminalized survivors of violence, noncitizens, and people experiencing housing instability. In many instances, LGBTQIA+ people have these orders issued against them — even when they were targeted by biased-based violence. Albany must safeguard against arbitrary orders and ensure that legally innocent people have the right to a hearing to determine the propriety of these orders by passing the Promote Pre-Trial (PromPT) Stability Act without delay, and the Council must pass the corresponding resolution (Res. 309-2022).

# YOUTH & FOSTER CARE

LGBTQIA+ youth are among our city's most vulnerable residents. Too frequently, they are disowned by their families and kicked out of their homes because of their gender identity or sexual orientation, forced into homelessness and survival work (including sex work), and tossed into a bureaucratic nightmare to obtain basic needs like housing or healthcare. While youth homelessness is often underreported and difficult to track, research has shown that nearly 40% of the homeless youth population identifies as LGBTQIA+. And queer youth entering the foster care system disproportionately experience placement disruptions and multiple placements. Our city must begin addressing the root causes that result in LGBTQIA+ overrepresentation in the youth foster care or juvenile delinquency systems by increasing funding for organizations that promote family acceptance and in-home reparative intervention for LGBTQIA+ youth, bolstering funding for LGBTQIA+ affirming placements, improving data reporting on queer youth in the foster system, and mandating competency training for ACS staff.

## **Increase funding for LGBTQIA+ affirming placements**

Many LGBTQIA+ foster youth suffer from a lack of available appropriate home-like settings, pushing ACS to place them in temporary shelter for months while they attempt to find an appropriate foster home. And some are placed in homes that are certified as LGBTQIA+ affirming but that still contain implicit or explicit anti-LGBTQIA+ bias, which may result in some youth running away, harming themselves, or missing school. As such, the Council must fight for at least \$5 million to aid ACS in recruiting parents from within the LGBTQIA+ community and ensuring that placements for LGBTQIA+ youth are truly affirming and safe. The funding should also go toward supporting expansions of specialized congregate settings for LGBTQIA+ youth (e.g. group homes) that currently have limited beds but are settings in which staff is properly trained in engaging with LGBTQIA+ youth.

## **Fund organizations that promote family acceptance and in-home reparative intervention for LGBTQIA+ youth**

Almost half of LGBTQIA+ youth in out-of-home settings were placed there after they were ejected from their homes because of their queer identity. The city should work to address the root of LGBTQIA+ youth homelessness, which includes a lack of family acceptance, in addition to providing services to address the problem. The Council must allocate \$5 million in funding specifically for community-based family acceptance programming and mental health services for families. Groups like the

# YOUTH & FOSTER CARE

Ackerman Institute already do this work in our communities, and they need the resources to expand operations so fewer LGBTQIA+ youth end up ignored and effectively removed from their families of origin. The work should include community based services for youth either independently or jointly with families as well as home-based programming to support families with communication skills training and information on the importance of accepting a young person's sexual orientation and gender identity. Additionally, groups engaging in this work should wrap family acceptance education into sexual health programming (e.g. pregnancy or child rearing education courses) and train faith leaders and guidance counselors in schools on how to promote family acceptance within their relative communities.

## **Strengthen reporting on LGBTQIA+ youth placed in DHS custody or ACS facilities**

LGBTQIA+ youth represent more than one-third of those in New York City's foster care system. Sadly, LGBTQIA+ youth are more likely than their straight and cisgendered counterparts to be placed in group congregate settings rather than in family placements and are less likely to report having adults or elder mentors in their lives on whom they can rely. The Council must pass legislation requiring ACS to report on the number of and placements of LGBTQIA+ foster youth, including the number of LGBTQIA+ identifying youth under ACS's purview, the length of time each individual has been in foster care placement, the circumstances for any youth in secure detention facilities, and the number of youth in foster homes compared to institutions (including temporary pre-placement shelters like the Children's Center). The legislation should also include reporting on LGBTQIA+ youth in the juvenile legal system, including the number in non-secure/secure detention or non-secure/limited secure placement as well as services available to these youth where they are detained or placed. The data collection methods should be implemented in a safe and affirming way using best practices, such as those established by the National SOGIE Center.

## **Mandate LGBTQIA+ and TGNCNBI sensitivity and competency training**

Legal service providers report that ACS staff routinely misgender youth or place them in inappropriate settings based on their gender identity and expression. The Council must pass legislation requiring LGBTQIA+/TGNCNBI competency training for all ACS staff that instructs them how to protect the well-being of queer youth, avoid misnaming or misgendering, and how to properly engage with them.



# CONCLUSION

Over the next few years, the Council's LGBTQIA+ Caucus will fight to enact each and every one of the aforementioned policies and budget items. While we know there are many elected officials who claim to support the LGBTQIA+ community, this plan finally offers a blueprint by which advocates can hold caucus members and other elected officials accountable.

We surely cannot do it alone. Many of our demands will require significant investment that can best be met through increased taxes on the wealthiest New Yorkers, something that is under the state legislature's authority and not the city's. And others will require robust discussions with colleagues who may be uncertain about some radical changes to how our city operates. But in a nation presently defined by backlash to years of advancement for LGBTQIA+ people, New York City has a chance to recement itself as a bastion of progress and become the safest and most welcoming place in the nation for LGBTQIA+ people.

A city that looks out for its most marginalized, is a city that looks out for all of its citizens. By enacting this agenda, New York City will move one step closer to supporting those who need its support the most.



# ACKNOWLEDGMENTS

The LGBTQIA+ Caucus would like to thank Andrew Wright (Senior Director of Policy and Budget Initiatives for Council Member Crystal Hudson) and Stephanie Silkowski (Chief of Staff to Council Member Tiffany Cabán) for writing this report. We would also like to thank Alejandro Gonzalez (Senior Manager of Communications for Council Member Hudson) and Ariadna Pavlidis-Sanchez (Intern for Council Member Hudson) for copy editing the report and Deme Brown (Manager of Constituent Services for Council Member Hudson) and Andrew Wright for designing the report.

This report was published on June 1, 2023. It was made using Canva, and any stock images are courtesy of Canva. Photographs are courtesy of the New York City Council Media Unit and are available on the Council's [Flickr page](#).

The Caucus would like to thank the following organizations that provided direct feedback and helped craft the final report and recommendations:

- Ali Forney Center
- Black Trans Nation
- Callen-Lorde
- Center for Constitutional Rights
- Coalition for Homeless Youth
- Equality New York
- GMHC
- GRIOT Circle
- Hetrick-Martin Institute
- Jim Owles Liberal Democratic Club
- Lambda Independent Democrats of Brooklyn
- Lambda Legal
- The Legal Aid Society
- NEW Pride Agenda
- New York City's Lesbian, Gay, Bisexual & Transgender Community Center (The Center)
- New York Civil Liberties Union (NYCLU)
- SAGE
- Strategic Transgender Alliance for Radical Reform (STARR)\*
- Stonewall Community Development Corporation
- Task Force on Issues Faced by TGNCNBI People in Custody
- Translatinx Network

\* STAR House was modeled on "house" culture, a form of mutual care in trans-of-color communities since at least the 1890s. Marsha P. Johnson founded STAR in 1970 with Sylvia Rivera, a Latinx\* trans woman known for her outspoken protests for gay and trans rights. As STAR House, Marsha and Sylvia served their mission for more than a year, providing food and housing. Traditional shelters are often unsafe and unwelcoming for trans people. STAR House served as a model for providing safe spaces for the TILGBO+ community. STAR also had an activist branch, formed in 1970 during a five-day protest at New York University. The University's Gay Liberation Activist Group had hosted a summer series of dance-a-thons at the school's Weinstein Residence Hall. The school cancelled the remaining events and banned further gay social organizing. In protest, Marsha, Sylvia, gay students, and soon, straight allies occupied the sub-basement of Weinstein Hall for five days. Marsha and Sylvia seized the energy, led a march to Sheridan Square, and STAR was born. STAR's existence, separate from groups like the Gay Liberation Front and Gay Activist Alliance, reflected the struggle trans people had in being included in the greater gay rights movement, which would resist including trans people for many more years. STAR is now known as STARR-Strategic Transgender Alliance for Radical Reform—led by Mariah Lopez. STARR extends Sylvia and Marsha's legacy by fighting for health care, legal and police reform, as well as direct advocacy on behalf of trans people. STARR continues to serve the immediate needs of the transgender and gender nonconforming community, providing housing, food, and support. STARR has chapters throughout the United States, including the deep south. \*

