

NEW YORK'S CRIMINALIZATION OF HOMELESSNESS & POVERTY, AND VIOLATIONS OF THE HUMAN RIGHT TO HOUSING

KEY FINDINGS:

A. HOUSING INSECURITY

- **About 3 million New Yorkers are housing insecure/rent burdened** (*at least 30% of their total housing income contributed toward monthly rent).
- **Over 170,000 households contain over 1.5 people per room**, signaling overcrowding.
- The City's Public Housing Authority ("NYCHA") **provides housing to only 1 in 17 New Yorkers**, with over **88% of public housing households identifying as Black or Hispanic/Latinx**.
- **Vacancy rate for lowest-rent households is only 0.39%**.
- Since January 15, 2022, there have been **140,132 active eviction cases across New York City** – over **29,000 households have been evicted** by court-ordered marshals.

B. HOMELESSNESS & POVERTY

- **1.5 million New Yorkers live at or below the federal poverty level**, nearly half of whom are **Black or Hispanic/Latinx residents in comparison to 11.5% of White residents**.
- As of June 2025, **City shelter count exceeds 86,000—68.3%** (or nearly 59,000) **shelter residents are families with children**.
- A record-high of at least **146,000 public school students lacked permanent housing in the City** in the 2023-24 school year (a 23% increase from the previous year).
- **Over 4,100 City residents live unsheltered**.
- From January to April 2025, **376+ New Yorkers died prematurely** from experiencing homelessness.

C. CRIMINALIZATION INTERSECTIONS OF VULNERABLE SUBGROUPS

- City conducts **over 4,000 homeless sweeps each year**, forcibly evicting street homeless New Yorkers from their encampment sites and seizing/destroying their life-sustaining property without a warrant.
 - **Only 3% (114 individuals)** among those forcibly removed from streets and subways from January-September 2024 **were placed into permanent housing**.
- The Rikers Island jail complex is one of the country's largest mental health providers.
 - In April 2025, City Mayor Eric Adams issued **Executive Order 50 to facilitate U.S. Immigration and Customs Enforcement ("ICE") to re-open an office on Rikers Island**. A state judge has blocked the Order's enforcement.
- Nearly **50,000 migrant parents and children living in City-contracted shelters** have been issued **60-day shelter eviction notices**.
- ICE has increased its discretion for warrantless entry into city shelters, curtailing sanctuary protections.
 - ICE check-ins at migrant shelters have spurred **interactions between migrant families and the City's Administration of Children's Services ("ACS")** and triggered family separation.
- Nearly **40% of families in City shelters are placed in a borough other than the one where their children attend school**.
 - **67% of unsheltered City students missed over 10% of their school year in 2022-23**, resulting in **truancy charges** (i.e., fines and jail time) for some parents.
- **Of the 6,389 children who entered the State foster system in 2023, 462 were experiencing homelessness and 778 were experiencing inadequate housing** at the time of the child's removal.

- **Of the 429 youth who aged out of the City foster system in 2023, 31% (133) had to stay in foster home placement or group home setting** because there were no other housing options.
- **41% of adults with minor children** enter a City shelter as **gender-based violence survivors**.
- As of September 2024, **nearly 2,000 survivors sit on NYCHA's emergency transfer waitlist**, lacking access to provisional safety measures and other benefits.
- **Homeless LGBTQ+ youth experience sexual assault at 3x the rate of non-queer homeless youth**. They are also more likely to engage in sex work in exchange for survival needs.
- **40% of New York City's LGBTQ+ adults have experienced homelessness in their lifetime**.
- **Older adults (50+ years old) are the fastest-growing population experiencing homelessness and housing instability, typically sitting on housing waitlists for 6+ years**. They often experience discrimination based on voucher income sources, age, disability, and race.
- There are **~122 federal hazardous waste sites across New York State**. In April 2024, a **400-bed shelter for migrant men** opened near the highly polluted Gowanus Canal in Brooklyn.

SUGGESTED RECOMMENDATIONS FOR NEW YORK STATE AND CITY GOVERNMENTS:

A. DECRIMINALIZE HOMELESSNESS AND POVERTY BY:

- **Divesting from criminal legal system responses (i.e., civil involuntary commitments, sweeps, etc.)** to reduce homelessness on streets, in subways, and at other public places.
- **Preventing housing/shelter construction near environmentally hazardous sites.**
- **Eliminating shelter providers' mandatory reporting requirements for child abuse and neglect allegations and abolishing penalties that trigger family separation and homelessness.**
- **Expanding sanctuary protections for immigrant New Yorkers** (New York For All Act), and protecting those in homeless shelters, schools, and hospitals from ICE arrests and deportation threats (amend Protect Our Courts Act).
- **Investing in robust citywide public bathroom infrastructure.**
- **Abolishing the criminalization of labor forms accessible to housing insecure groups**, i.e., sex workers, and related criminal record barriers, immigration status impacts.
- **Enhancing protections for homeless people targeted by hate crimes** (Homeless Protection Act).

B. ADVANCE THE HUMAN RIGHT TO ADEQUATE HOUSING BY:

- **Enacting a statewide Right to Counsel** to ensure free, quality legal representation to tenants threatened by eviction, poor living conditions, landlord harassment, etc.
- **Enacting a statewide winter eviction moratorium.**
- **Investing in community-based healthcare, low-barrier and permanent supportive housing** for homeless New Yorkers, capital improvements for NYCHA housing and **safer housing conditions**.
- **Establishing and financing social housing**, including community land trusts, limited equity cooperatives and publicly-owned rentals.
- **Eliminating source of income discrimination for housing voucher holders.**
- **Enforcing rent stabilization protections.**

For more information, please read our [Report](#):

