

7674

2011-2012 Regular Sessions

I N A S S E M B L Y

May 12, 2011

Introduced by M. of A. RODRIGUEZ -- read once and referred to the
Committee on Housing

AN ACT to amend the public housing law, in relation to enacting the
"public housing safety and security act of 2011"

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The public housing law is amended by adding a new article
2 12-A to read as follows:

3 ARTICLE 12-A

4 PUBLIC HOUSING SAFETY AND SECURITY

5 SECTION 310. SHORT TITLE.

6 311. LEGISLATIVE FINDINGS.

7 312. AUTHORITY TO ISSUE GRANTS.

8 313. ELIGIBLE ACTIVITIES.

9 314. APPLICATIONS.

10 315. PERIODIC SAFETY INSPECTIONS.

11 316. ANNUAL REPORT.

12 S 310. SHORT TITLE. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS
13 THE "PUBLIC HOUSING SAFETY AND SECURITY ACT OF 2011".

14 S 311. LEGISLATIVE FINDINGS. 1. (A) THE STATE HAS A DUTY TO PROVIDE
15 PUBLIC HOUSING THAT IS DECENT, SAFE, SECURE AND FREE FROM CRIME;

16 (B) THOSE WHO LIVE IN PUBLIC HOUSING PROJECTS IN MANY AREAS OF THIS
17 STATE SUFFER FROM RAMPANT CRIME, INCLUDING BREAK-INS, LARCENY, ROBBERY,
18 BURGLARY AND RAPE;

19 (C) DRUG DEALERS ARE INCREASINGLY IMPOSING A REIGN OF TERROR ON PUBLIC
20 HOUSING TENANTS; THE INCREASE IN DRUG-RELATED CRIME NOT ONLY LEADS TO
21 MURDERS, MUGGINGS, AND OTHER FORMS OF VIOLENCE AGAINST TENANTS, BUT ALSO
22 TO A DETERIORATION OF THE PHYSICAL ENVIRONMENT THAT REQUIRES SUBSTANTIAL
23 GOVERNMENT EXPENDITURES; AND

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 (D) LOCAL LAW ENFORCEMENT AUTHORITIES OFTEN LACK THE RESOURCES TO DEAL
2 WITH THE CONSTANT SURVEILLANCE AND PATROLLING IN PUBLIC HOUSING PARTIC-
3 ULARLY IN LIGHT OF THE RECENT REDUCTIONS IN FEDERAL AID TO CITIES.

4 2. RECENT EVENTS AT CERTAIN HOUSING PROJECTS, PARTICULARLY THE TILDEN
5 HOUSING PROJECTS IN BROOKLYN DEMONSTRATE THAT THESE ISSUES ARE SERIOUS,
6 PRESSING AND IN NEED OF IMMEDIATE ATTENTION.

7 S 312. AUTHORITY TO ISSUE GRANTS. THE DIVISION, IN ACCORDANCE WITH THE
8 PROVISIONS OF THIS ARTICLE, MAY ISSUE GRANTS TO PUBLIC HOUSING AUTHORI-
9 TIES OR AGENCIES FOR USE IN IMPROVING SECURITY IN PUBLIC HOUSING
10 PROJECTS.

11 S 313. ELIGIBLE ACTIVITIES. A PUBLIC HOUSING AUTHORITY OR AGENCY MAY
12 USE A GRANT UNDER THIS ARTICLE FOR:

13 1. THE EMPLOYMENT OF SECURITY PERSONNEL IN PUBLIC HOUSING PROJECTS;

14 2. REIMBURSEMENT OF LOCAL LAW ENFORCEMENT AGENCIES FOR ADDITIONAL
15 SECURITY AND PROTECTIVE SERVICES FOR PUBLIC HOUSING PROJECTS;

16 3. PHYSICAL IMPROVEMENTS IN PUBLIC HOUSING PROJECTS WHICH ARE SPECIF-
17 ICALLY DESIGNED TO ENHANCE SECURITY;

18 4. TRAINING, COMMUNICATIONS EQUIPMENT, AND OTHER RELATED EQUIPMENT FOR
19 USE BY VOLUNTARY PUBLIC HOUSING TENANT PATROLS ACTING IN COOPERATION
20 WITH LOCAL LAW ENFORCEMENT OFFICIALS;

21 5. PROVIDING FUNDING TO NONPROFIT PUBLIC HOUSING RESIDENT MANAGEMENT
22 CORPORATIONS AND TENANT COUNCILS TO DEVELOP SECURITY PROGRAMS INVOLVING
23 SITE RESIDENTS; AND

24 6. PURCHASE AND INSTALLATION OF CAMERAS THROUGHOUT PUBLIC AREAS OF
25 PUBLIC HOUSING BUILDINGS.

26 S 314. APPLICATIONS. 1. TO RECEIVE A GRANT UNDER THIS ARTICLE, A
27 PUBLIC HOUSING AUTHORITY OR AGENCY SHALL SUBMIT AN APPLICATION TO THE
28 COMMISSIONER AT SUCH TIME, IN SUCH MANNER, AND ACCOMPANIED BY SUCH ADDI-
29 TIONAL INFORMATION AS THE COMMISSIONER MAY REASONABLY REQUIRE. SUCH
30 APPLICATION SHALL INCLUDE, BUT NOT BE LIMITED TO, A PLAN FOR ADDRESSING
31 SECURITY CONCERNS/ISSUES AT THE REQUESTING PUBLIC AUTHORITY OR AGENCY.

32 2. THE COMMISSIONER SHALL APPROVE APPLICATIONS UNDER THIS ARTICLE
33 BASED UPON:

34 (A) THE EXTENT OF THE CRIME PROBLEM IN THE FACILITIES OF THE PUBLIC
35 HOUSING PROJECT;

36 (B) THE QUALITY OF THE PLAN OF THE PUBLIC HOUSING AUTHORITY OR AGENCY
37 TO ADDRESS SECURITY CONCERNS IN THE PUBLIC HOUSING PROJECT OR PROJECTS;

38 (C) THE CAPABILITY OF THE PUBLIC HOUSING AUTHORITY OR AGENCY TO CARRY
39 OUT THE PLAN; AND

40 (D) THE EXTENT TO WHICH THE LOCAL GOVERNMENT AND LOCAL COMMUNITY
41 SUPPORT THE ANTI-CRIME ACTIVITIES OF THE PUBLIC HOUSING AUTHORITY OR
42 AGENCY.

43 S 315. PERIODIC SAFETY INSPECTIONS. PERIODIC SAFETY INSPECTIONS BY
44 DIVISION AGENTS OR EMPLOYEES OF PUBLIC HOUSING UNITS ARE REQUIRED. SUCH
45 INSPECTIONS SHALL OCCUR TWICE PER YEAR AND ENSURE THAT PUBLIC HOUSING
46 UNITS COMPORT WITH (1) LEAD PAINT REGULATIONS; (2) HAVE SUFFICIENT AND
47 OPERATIONAL LOCKING DOORS; (3) ENTRANCES AND DOORWAYS INTO AND OUT OF
48 BUILDINGS ARE SECURE AND STRUCTURALLY SOUND; (4) WINDOWS IN PUBLIC AREAS
49 HAVE ADEQUATE LOCKING DEVICES THAT WORK; AND (5) SUCH OTHER AND FURTHER
50 INSPECTION AS IS DEEMED NECESSARY BY THE DIVISION. THE AGENCY SHALL
51 DEVELOP REGULATIONS SUFFICIENT TO EFFECT INSPECTIONS PURSUANT TO THIS
52 SECTION.

53 S 316. ANNUAL REPORT. THE DIVISION SHALL SUBMIT AN ANNUAL REPORT TO
54 THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEM-
55 BLY, MINORITY LEADER OF THE SENATE AND THE MINORITY LEADER OF THE ASSEM-
56 BLY, INCLUDING, BUT NOT LIMITED TO, OUTLINING THE STATE OF SAFETY AND

1 SECURITY AT PUBLIC HOUSING UNITS THROUGHOUT THE STATE; SPECIFIC BUILD-
2 INGS THAT HAVE FAILED DIVISION INSPECTION; VIOLATIONS; AND NUMBER OF
3 CRIMES THAT HAVE OCCURRED AT EACH PROJECT.
4 S 2. This act shall take effect on the one hundred eightieth day after
5 it shall have become a law.