

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/publications/report-to-the-new-york-city-housing-authority-on-applying-and-lifting-permanent-exclusions-for-criminal-conduct>

Policy Issue Resources

Publication

The New York City Housing Authority (NYCHA) is conducting an internal review of its policies related to permanent exclusions for criminal conduct on NYCHA property.

Permanent exclusion (PE) occurs when a NYCHA tenant rather than risk eviction enters into a stipulation that those associated with the resident who have engaged in non-desirable behavior are barred from entering the apartment. It also occurs as a result of an administrative hearing where NYCHA seeks an eviction, but the hearing officer opts to preserve the tenancy and bars the offending person from the apartment.

To inform this policy review, NYCHA partnered with the Vera Institute of Justice and John Jay College of Criminal Justice. The review sought to understand how NYCHA could better balance its commitments to the safety of the community, the stability of its tenants families, and the successful reentry of formerly incarcerated people.

The following recommendations reflect an extensive review of existing policies and practices around PE, interviews with NYCHA staff, a meeting with NYCHA residents, and social science research on risk mitigation and future offending.

As a landlord, NYCHA has a commitment to maintain the safety of its residents, but must also recognize the important role of families and housing for people involved with the criminal justice system when considering permanent exclusions.

Permanent exclusion policies and practices should honor NYCHA's obligations to provide safe housing for tenants by focusing on reducing the risk of violent harm to the public housing community.

NYCHA should recognize that permanent exclusion of minors and young adults pose special challenges and must be handled differently than the permanent exclusion of adult residents.

NYCHA's policies and practices should be clearly stated, made broadly and readily available, and be transparently applied.

PUBLICATION

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