General Shelter Rights:

Some of your rights in shelters run by the Department of Homeless Services include:

1. You have a legal right to emergency shelter if you have nowhere else to stay.
2. Shelter staff can only enforce rules that are set out in writing and clearly posted.
3. You have the right to organize and meet with other shelter residents, to voice complaints, and to advocate for changes in the shelter. Any retaliation against you because of those activities, including transferring you to another shelter, is illegal.

Remember you can always reach out to:

Sylvia Rivera Law Project
147 W 24th St., 5th Floor
New York, NY 10011
212-337-8550 x308 (legal helpline)

Drop in hours are Thursdays from1:30-4:30, but please call in advance to see if it is open.

Coalition for the Homeless
129 Fulton St.
New York, NY 10038
212-776-2000

Crisis Intervention walk-in hours begin at 9am Monday to Friday. Arrive early for a greater chance of being served.

SYLVIA RIVERA LAW PROJECT

The Sylvia Rivera Law Project (SRLP) works to guarantee that all people are free to self-determine gender identity and expression, regardless of income or race, and without facing harassment, discrimination or violence.

SYLVIA RIVERA LAW PROJECT
147 W24TH STREET, 5TH FLOOR, NEW YORK, NEW YORK, 10001
T. 212-337-8550 • F. 212-337-1972 • WWW.SRLP.ORG

KNOW YOUR RIGHTS

Know Your Rights in Extreme Weather

Working with Know Your Rights materials can be very difficult. You are advocating for yourself and others against systems that often don't want TGNCI people of color to be raising their voices. Here are some tips from SRLP members, organizers and attorneys on how to effectively use Know Your Rights materials:

Some Tips for using KYR Materials:

1. If possible, carry these Directives with you. Sadly, the way power and privilege work, many people will take you more seriously with an official paper. While that's a structure we want to dismantle, your safety comes first.

2. If a food bank, shelter, transit, or other employee isn't hearing you, ask to speak to their manager, and if that doesn't succeed, ask to lodge a complaint with 311.

Your Rights in an Emergency Shelter

You can find a list of emergency shelters on SRLP's website or on the website of the Coalition for the Homeless. You can also call 311 and ask for a list to be read to you. While emergency shelters may be overcrowded in extreme weather, NYC has an obligation to house anyone seeking shelter. You should not be turned away. If you are turned away, you can call 311.

Gender Identity:

1. Transgender, gender non-conforming, and intersex people have the right to access the shelter of their choosing. Policy 06-1-31 from the NYC Department of Homeless Services establishes this right. At this time, NYC Department of Homeless Services only offers "male" and "female" emergency shelters but you have the right to choose whichever one feels safer to you in that moment.

2. You define your own gender. Shelter staff should not use your legal documents or personal presentation to decide where to house you.

3. Upon request, you can ask to sleep in a "safer" area, but keep in mind "safer" generally means closer to the night staff desk, which may not be safer for your needs.

4. In addition, NYC Shelters must comply with NYC's Commission on Human Rights protections for transgender, gender non-conforming, and intersex individuals. Staff and security must use the right name and pronoun for you and you cannot be discriminated against because of your gender identity or presentation. This includes being able to use the right bathroom.

Extreme Cold/Code Blue:

Sometimes it can be so cold that a "Code Blue" will be called. A Code Blue happens when either the temperature is below 32 degrees; the wind-chill is below 0 degrees; there are ice storms or freezing rain; or there is more than 6 inches of snow. When this happens:

1. Drop-in centers are required to take as many clients as possible for the night that there is a Code Blue.

2. Anyone in need of a place to go can walk into single adult or family shelters, without undergoing the normal intake or eligibility procedures for the night that there is a Code Blue.

3. If you have been assigned a specific shelter, for that night you may access any shelter, not just the assigned shelter for the night that there is a Code Blue.

4. The City attempts to provide mobile heating vans or center.

5. No shelter suspensions or sanctions can be carried out on these dates – if you have been sanctioned you can return to the shelter for the night that there is a Code Blue.

Extreme Heat/Code Red:

Sometimes it is so hot that a "Code Red" is called. A Code Red is called when the National Weather Service predicts a heat index of 90 degrees within the next 24 hours. When a Code Red is in place, you have different rights:

1. Anyone can walk into a hospital emergency room for a cool place to sit.

2. Drop-in centers are required to take as many clients as possible, within the Department of Buildings restrictions.

3. Anyone in need of a place to go can walk into single adult or family shelters, without undergoing the normal intake and eligibility procedures. If you are a single adult with an assigned shelter, you no longer need to go to your assigned shelter for the night – you can access any shelter. When the Code Red ends, you will need to either return to your assigned shelter or go through the individual intake and eligibility procedures.

4. The City attempts to provide cooling vans or centers and more outreach teams are on the streets to offer services and shelter.

5. No shelter suspensions or sanctions can occur during a Code Red – if you have been sanctioned you can return to your shelter for the night that there is a Code Red, no questions.