



New York City Anti-Violence Project
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**Testimony of Shelby Chestnut, Co-Director of Community Organizing and Public Advocacy,
New York City Gay and Lesbian Anti-Violence Project
to the
Public Safety Committee
New York City Council
Hearing on Intro 182 and 541
June 29, 2014**

Good afternoon. My name is Shelby Chestnut I am the Co-Director of Community Organizing and Public Advocacy at the New York City Gay and Lesbian Anti-Violence Project (AVP). I am here to testify about Intro 182 and 541 Introduced by the New York Council Member which is pending before the New York City Council, which would require law enforcement officers to identify themselves to the public and provide notice and obtain proof of consent to search individuals.

AVP empowers lesbian, gay, bisexual, transgender, queer (LGBTQ), and HIV-affected communities and allies to end all forms of violence through organizing and education, and support survivors through counseling and advocacy. We envision a world in which all LGBTQ and HIV-affected people are safe, respected, and live free from violence.

I thank the New York City Council for the opportunity to speak with you today and offer this testimony. As an LGBTQ organization working to end all types violence against LGBTQ and HIV-affected people and a voting member of Communities United for Police Reform coalition **AVP supports the passage of Intro 182 and 541** which is pending before the New York City Council, which would require law enforcement officers to identify themselves to the public and provide notice and obtain proof of consent to search individuals.

POLICE VIOLENCE AGAINST LGBTQ and HIV-AFFECTED PEOPLE

The 2014 National Report on Hate Violence Against LGBTQ and HIV-affected people NCAVP documents a number of troubling findings related to the interaction of LGBTQ survivors of violence with police.

- Transgender survivors were 6.1 times more likely to experience physical violence from police when compared with other survivors
- Transgender people of color were 6.2 times more likely to experience police violence when compared with other survivors
- Transgender women survivors were 6.1 times more likely to experience physical violence from police when compared with other survivors
- LGBTQ and HIV-affected people of color survivors were 2.4 times more likely to experience police violence when compared with other survivors
- LGBTQ and HIV-affected Black survivors were 1.8 times more likely to experience police violence when compared with other survivors

- LGBTQ and HIV-affected Latin@ survivors were 1.7 times more likely to experience police violence when compared with other survivors
- LGBTQ and HIV-affected young adults (ages 19-29) were 2.2 times more likely to experience police violence when compared with other survivors.

These numbers also point to the fact that the very people who should be protecting LGBTQ and HIV-affected survivors are often times the very people responsible for further increasing survivors experiences of violence. Locally in New York City while data is limited as we are one of the only agency who formally collects LGBTQ specific police violence data what we routinely hear from the LGBTQ community is that people are profiled regularly on the basis of the actual or perceived gender identity and sexual orientation and subject to harassment and violence. Routinely we hear of stories where transgender women of color are subject to this very profiling and searches simply for their actual or perceived gender identity as well as LGBTQ and HIV-affected people of color being stopped by the police for their actual or perceived gender identity, sexual orientation and racial identity.

INTRO 182 & 541 WOULD HELP LGBTQ & HIV-AFFECTED SURVIVORS

In 2013 the New York City Council made history by passing landmark legislation with a veto proof majority known as the Community Safety Act and now there is chance to once again make history and pass Intro 182 and 541 known as the Right to Know Act. As noted above police violence and misconduct is deeply impacting LGBTQ and HIV-affected survivors of violence nationally and right here in New York City and the passage of this critical legislation would greatly help LGBTQ and HIV-affected New Yorkers in having safe and trusting relationships with the NYPD. AVP has heard many concerns that Intro 182 and 541 would hinder officer's ability to properly do their jobs and this is just not the case. The greatest impact Intro 182 and 541 would have would be in creating greater trust between law enforcement and LGBTQ and HIV-affected New Yorkers as officers would have to identify themselves and state the reasons for stopping people which will deter unnecessary stops and searches from happening to all New Yorkers, but especially LGBTQ and HIV-affected New Yorkers who are often times profiled and subject to violence at the hands of law enforcement for their actual or perceived gender identity, sexual orientation and as our data shows their racial identity.

Once again AVP strongly encourages the New York City Council to pass Intro 182 and 541 and make New Yorkers safer. Both pieces of legislation were included as recommendation to President Obama in the report by the President's Task Force on Policing in the 21st Century which was released a few weeks ago. New York City has the chance to set the stage nationally and be leaders in Police Reform efforts by acting today and passing Intro 182 and 541 known as the Right to Know Act.

Thank you for your time and for your consideration of this important matter.

Very truly yours,

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