



Legislation Details (With Text)

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Type:	Introduction	Status:			Filed (End of Session)
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On agenda:	2/14/2018				
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Title:	A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on the number of arrests that were voided by the police, or were declined to be prosecuted by the local prosecutor				
Sponsors:	Rory I. Lancman				
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Attachments:	1. Summary of Int. No. 532, 2. Int. No. 532, 3. February 14, 2018 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 02-14-2018, 5. Minutes of the Stated Meeting - February 14, 2018				

Date	Ver.	Action By	Action	Result
2/14/2018	*	City Council	Introduced by Council	
2/14/2018	*	City Council	Referred to Comm by Council	
12/31/2021	*	City Council	Filed (End of Session)	

Int. No. 532

By Council Member Lancman

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on the number of arrests that were voided by the police, or were declined to be prosecuted by the local prosecutor

Be it enacted by the Council as follows:

Section 1. Paragraph 4 of subdivision a of section 14-150 of chapter 1 of title 14 of the administrative code of the city of New York is amended to read as follows:

4. A crime status report. Such report shall include the total number of crime complaints (categorized by class of crime, indicating whether the crime is a misdemeanor or felony) for each patrol precinct, including a subset of housing bureau and transit bureau complaints within each precinct; arrests (categorized by class of crime, indicating whether the arrest is for a misdemeanor or felony) for each patrol precinct, housing police

service area, transit district, street crime unit and narcotics division; voided arrests (categorized by class of crime, indicating whether the arrest is for a misdemeanor or felony) for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; declined prosecutions (categorized by class of crime, indicating whether the arrest is for a misdemeanor or felony) for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; summons activity (categorized by type of summons, indicating whether the summons is a parking violation, moving violation, environmental control board notice of violation, or criminal court summons) for each patrol precinct, housing police service area and transit district; domestic violence radio runs for each patrol precinct; average response time for critical and serious crimes in progress for each patrol precinct; overtime statistics for each patrol borough and operational bureau performing an enforcement function within the police department, including, but not limited to, each patrol precinct, housing police service area, transit district and patrol borough street crime unit, as well as the narcotics division, fugitive enforcement division and the special operations division, including its subdivisions, but shall not include internal investigative commands and shall not include undercover officers assigned to any command. Such report shall also include the total number of complaints of all sex offenses as defined in article 130 of the New York state penal law, in total and disaggregated by the following offenses: rape as defined in sections 130.25, 130.30, and 130.35; criminal sexual act as defined in sections 130.40, 130.45, and 130.50; misdemeanor sex offenses as defined in sections 130.20, 130.52, 130.55, and 130.60; sexual abuse as defined in sections 130.65, 130.65-a, 130.66, 130.67, and 130.70; course of sexual conduct against a child as defined in sections 130.75 and 130.80; and predatory sexual assault as defined in sections 130.95 and 130.96. Such report shall also include the total number of major felony crime complaints for properties under the jurisdiction of the department of parks and recreation, pursuant to the following timetable:

1. Beginning January first, two thousand fourteen, the thirty largest parks, as determined by acreage;
2. Beginning June first, two thousand fourteen, the one hundred largest parks, as determined by acreage;
3. Beginning January first, two thousand fifteen, the two hundred largest parks, as determined by

acreage;

4. Beginning January first, two thousand sixteen, the three hundred largest parks, as determined by acreage;

5. Beginning January first, two thousand seventeen, all parks one acre or greater in size; and

6. Beginning January first, two thousand eighteen, all public pools, basketball courts, recreation centers, and playgrounds that are not located within parks one acre or greater in size.

The department shall conspicuously post all quarterly reports of major felony crime complaints for properties under the jurisdiction of the department of parks and recreation online via the department's website within five business days of the department's submission of such reports to the council.

§2. Paragraph 8 of subdivision b of section 14-150 of chapter 1 of title 14 of the administrative code of the city of New York is amended to read as follows:

8. For purposes of this section, the following terms shall have the following meanings: (i) “voided arrest” means an arrest made by a uniformed member of the service or a civilian, that is subsequently nullified because there is found to be reasonable cause to believe the arrestee did not commit the offense, or any related offense, or it is subsequently determined that no offense has been committed. (ii) “declined prosecutions” means when the District Attorney declines to prosecute charges made pursuant to an arrest. (iii)[(i)] “firearms incident” means any incident during which one or more New York city police officers discharge any firearm, or when a firearm belonging to a New York city police officer is discharged by any person, except for a discharge during an authorized training session, or while lawfully engaged in target practice or hunting, or at a firearms safety station within a department facility; (iv)[(ii)] “subject” means a person engaged in adversarial conflict with an officer or third party, in which the conflict results in a firearms discharge; (v)[(iii)] “civilian” means a person who is not the subject in the adversarial conflict but is included as a victim, bystander, and/or injured person; (vi)[(iv)] “officer” means a uniformed member of the department, at any rank; (vii)[(v)] “intentional

firearms discharge” means a firearms discharge in which an officer intentionally discharges a firearm, which may include firearms discharges that are determined to be legally justified but outside department guidelines; ~~(viii)~~~~[(vi)]~~ “adversarial conflict” means an incident in which an officer acts in defense of self or another during an adversarial conflict with a subject and does not include an animal attack or situations in which an officer only intentionally discharges a firearm to summon assistance; ~~(ix)~~~~[(vii)]~~ “unintentional firearms discharge” means a firearms discharge in which an officer discharges a firearm without intent, regardless of the circumstance, commonly known as an accidental discharge; and ~~(x)~~~~[(viii)]~~ “unauthorized use of a firearm” means a firearms discharge that is considered unauthorized and is not listed as an intentional firearms discharge, is being discharged without proper legal justification, and includes instances when an unauthorized person discharges an officer's firearm

§ 3. This local law takes effect immediately upon enactment.

JH/JDK
LS #3679/Int. 735/2015
LS #162
12/12/17