

LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 1991

No. 11

Introduced by the Speaker (Council Member Vallone) and Council Members Berman, Eisland and Dryfoos (by the request of the Mayor); also Council Members Castaneira Colon, Crispino, Lisa, Maloney, Michels, O'Donovan, Povman, Robles, Ward, Williams, Wooten, Alter, Horwitz and Cerullo.

A LOCAL LAW

To amend the administrative code of the City of New York in relation to the accounting for revenues and expenditures associated with the safe streets-safe city omnibus criminal justice program.

Be it enacted by the Council as follows:

Section one. Declaration of legislative findings. The council hereby finds and declares that the rise in crimes against persons and property in New York city, compounded by an increased randomness of violence, has created a public safety emergency that requires an extraordinary governmental response.

In recognition of this emergency, the council and the mayor have formulated and agreed to fund an ambitious, but necessary, initiative known as the safe streets-safe city omnibus criminal justice program.

The program addresses the needs of the criminal justice system, first and foremost through the addition of over 8,000 police officers to the streets of the city. This will be accomplished through a reorganization of the police department that will enable the men and women of the combined police forces to police the streets of the city. Workload sharing with other city departments and the civilianization of the department will add 2,924 officers to patrol strength. Over the next six years, it is the intent of this program to hire an additional 2,873 officers to bring the number of uniformed positions in the New York city police department to 31,351. Additionally, funds will be provided to the New York city transit authority police department to civilianize the department and add officers so that by 1994 there will be a police officer on every train in this city between the hours of 8 p.m. and 4 a.m. Finally, the force of the New York city housing authority police department with the addition of 208 officers will rise to its all-time high.

The safe streets-safe city program will do much more. While more police officers will be hired, other needs of the criminal justice system will be addressed, including: enhancing prosecution capabilities, expanding jail capacity, improving probation services, and increasing funding for legal aid and alternatives to incarceration.

The program also addresses the need for initiatives that will prevent crime and protect those most vulnerable to crime. The council finds that the expansion of school security and after school programs in schools and libraries will provide protection and alternatives for

young people. The expansion of employment training programs and senior citizen services are also integral components of a comprehensive solution to crime on our streets.

It is the declared intent of the council that the funds dedicated to the safe streets-safe city omnibus criminal justice program be used for the purposes outlined in section 5-603 of the administrative code of the city of New York, as added by section two of this local law. To ensure that this goal is realized, the council, through this legislation, is requiring an accounting of revenues and expenditures associated with this program and a public reporting as to the status of the implementation of the safe streets-safe city program.

Section 2. Title 5 of the administrative code of the city of New York is amended by adding a new chapter 5 to read as follows:

CHAPTER 5

CRIMINAL JUSTICE ACCOUNT

Section 5-601. Criminal Justice Account. There shall be within the general fund of the city a special accounting of the revenues and expenditures included in the safe streets-safe city omnibus criminal justice program. Such accounting shall be known as the "Criminal Justice Account."

Section 5-602. Revenues. There is hereby established within this general fund of the city, a special accounting of revenues, composed of the following revenue sources, dedicated for the purposes identified in the safe streets-safe city omnibus criminal justice program:

- 1. a designated portion of the real property tax (to the extent not required for debt service);*
- 2. the special anti-crime lottery within the city established and operated by the New York state division of the lottery;*
- 3. the city personal income tax surcharge, to the extent required to be credited to the criminal justice account by subdivision (d) of section 11-1704 of the code; and*
- 4. such other sources as may be credited or transferred to the criminal justice account.*

Section 5-603. Dedication. a. Except as otherwise provided in this chapter, the revenues identified pursuant to section 5-602 of this chapter shall be used for criminal justice purposes, including hiring of police officers, correction officers, probation officers, attorneys and ancillary personnel; funding public safety, education, youth services and community anti-crime programs; increasing capacity in the correction area; and engaging in such other efforts as are designed to protect public safety and deter crime in the city.

b. There shall be a separate accounting by the city within the general fund of the proceeds of the anti-crime lottery established and operated within the city by the New York state division of the lottery. Such proceeds shall be used exclusively for educational programs, including, but not limited to, increased security in elementary schools, special education sites and after school activities; increasing the number of community schools; providing academic and non-academic evening school activities for high school students; providing support services to students at risk of dropping out of school; strengthening basic skills of children in kindergarten through fourth grade; and providing additional after-school educational opportunities in the municipal library system.

Section 5-604. Expenditures. a. No monies included in the revenue sources established pursuant to section 5-602 shall be available for appropriation unless a schedule for the proposed uses of the total projected amount of such revenue sources shall be set forth as a supporting schedule to the preliminary budget required to be presented by the mayor pursuant to charter section two hundred thirty-six, and as a supporting schedule to the executive budget required to be presented by the mayor pursuant to charter section two hundred fifty. Such

schedule shall indicate each agency and unit of appropriation to which amounts are proposed to be appropriated, and shall indicate by unit of appropriation the intended uses of such amounts and the objectives to be met.

b. The monies so available for appropriation shall be spent only in accordance with applicable state law and charter sections two hundred fifty-four, two hundred fifty-five, and two hundred fifty-six, or in accordance with charter sections one hundred seven or two hundred sixteen. If any source within the account accrues revenues in excess of the amount projected in the adopted budget to be received from such source, such excess revenues may not be expended except in accordance with such charter sections, and for the purpose of section one hundred seven of the charter shall be deemed new revenues pursuant to subdivision e of section one hundred seven of the charter.

c. The monies so available for appropriation shall not be subject to the provisions of section one hundred two, two hundred eleven, and subdivisions c and d of section two hundred forty-nine of the charter relating to expense budget borough allocations and capital budget borough allocations.

Section 5-605. Reporting requirements. The director of the office of management and budget, in consultation with the police commissioner and the heads of appropriate city agencies, shall make a year-end annual report specifying the actual year end spending for each of the purposes identified in the schedule required by subdivision a of section 5-604, updated to reflect changes, if any, made at adoption, to the chairpersons of the finance and public safety committees of the council on the allocation of funds from the criminal justice account and the status of implementation of the safe streets-safe city omnibus criminal justice program. Such report shall include a schedule of new hires for all police forces and criminal justice agencies; a status report on civilianization and workload sharing efforts of the police departments; the level of patrol strength in all borough commands of the city; status of the implementation and operation of youth, employment and senior citizen programs; and the status of programs funded through the education portion of the criminal justice account.

Section 3. This local law shall take effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, S.S.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on January 22, 1991, and approved by the Mayor on February 7, 1991.

CARLOS CUEVAS, City Clerk, Clerk of the Council

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW § 27

Pursuant to the provisions of Municipal Home Rule Law § 27, I hereby certify that the enclosed local law (Local Law 11 of 1991, Council Int. 583) contains the correct text and:

Received the following vote at the meeting of the New York City Council on January 22, 1991: 28 for, 2 against.

Was approved by the Mayor on February 7, 1991.

Was returned to the City Clerk on February 11, 1991.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel