



Legislation Text

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Int. No. 760

By Council Members Gibson, Torres, the Public Advocate (Mr. Williams) and Cumbo

A Local Law to amend the administrative code of the city of New York, in relation to requiring the maintenance of an information sharing system regarding civil actions, claims, complaints, and investigations alleging improper police conduct

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended to add a new section 14-173 to read as follows:

§ 14-173 Information sharing. a. Definition. For the purposes of this section, the term “actions, claims, complaints, and investigations” includes, but is not limited to, information regarding civil actions reported pursuant to section 7-112, notices of claim filed against individual police officers received by the comptroller; settlements of claims filed against individual police officers by the comptroller; complaints received and investigations conducted by the civilian complaint review board; closed investigations conducted by the department; reviews of police department investigations conducted by the commission to combat police corruption; complaints received pursuant to section 804 of the charter; and any criminal arrests or closed investigations of individual police officers known to the department for actions taken while on duty.

b. A department or office designated by the mayor shall develop and maintain a system that allows for the electronic access and sharing by the department, the law department, the comptroller, the civilian complaint review board, and the individual responsible for implementing the duties set forth in paragraph 1 of actions, claims, complaints, and investigations.

c. 1. The department shall provide such designated department or office, at a minimum, the following

information that shall be electronically accessible by the law department, the comptroller, the civilian complaint review board, and the individual responsible for implementing the duties set forth in paragraph 1 of subdivision c of section 803 of the charter as such information relates to pending or resolved civil actions or claims filed against individual police officers: the precinct affiliation, rank, and employment date of any police officer against whom an action, claim, complaint, or investigation is asserted. Such information shall be provided by the department on no less than a biweekly basis and shall be disaggregated by whether any such officer was the subject of a closed investigation conducted by or known by the department, or has any criminal arrests known to the department for actions taken while on duty.

2. Upon request, the department shall notify the law department, the comptroller, the civilian complaint review board, or the individual responsible for implementing the duties set forth in paragraph 1 of subdivision c of section 803 of the charter as to whether the particular officer who is the subject of an inquiry was scheduled to be on duty and whether any such officer was wearing an official department uniform at the time of the incident giving rise to such an action or claim.

d. Nothing in this section shall require the sharing of or access to information considered confidential pursuant to section 50-a of the civil rights law.

e. The information provided pursuant to subdivision a of this section shall be searchable by the name of a police officer and precinct affiliation.

§ 2. Chapter 1 of title 7 of the administrative code of the city of New York is amended by adding a new section 7-115 to read as follows:

§ 7-115 Information sharing. a. The department shall provide the department or office designated by the mayor pursuant to subdivision b of section 14-173 the following information regarding civil actions filed in state or federal court against the police department or individual police officers, or both, resulting from allegations of improper police conduct, including, but not limited to, claims involving the use of force, assault

and battery, malicious prosecution, or false arrest or imprisonment:

1. the court in which the action was filed;

2. the name of the law firm representing the plaintiff;

3. the name of the law firm or agency representing each defendant;

4. the date the action was filed; and

5. the allegation of improper police conduct, such as use of force, assault and battery, malicious prosecution, or false arrest or imprisonment; and

6. if an action has been resolved: (i) the date on which it was resolved; (ii) the manner in which it was resolved; and (iii) whether the resolution included a payment to the plaintiff by the city and, if so, the amount of such payment.

b. The information provided pursuant to subdivision a of this section information shall be updated no less than biweekly.

§ 3. This local law takes effect on January 1, 2019.

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