



Legislation Text

File #: Int 1103-2018, **Version:** *

Int. No. 1103

By Council Members Lancman, Ayala, Cohen and Rose

A Local Law in relation to establishing a temporary task force on pay parity for public defenders and assistant district attorneys with city agency attorneys

Be it enacted by the Council as follows:

Section 1. Temporary task force on pay parity for public defenders and assistant district attorneys with other city agency attorneys.

a. The coordinator of criminal justice as defined in section 13 of the New York city charter, or such other person as the mayor may designate, shall establish and implement a temporary task force to address issues related to the pay parity of the city's assistant district attorney's and public defenders, with that of attorneys working for other city agencies, including the department of education, the department of correction, and the law department.

b. The task force shall consist of no less than 12 members as follows:

(1) Eight members appointed by the mayor, chosen from individuals representing relevant city agencies, provider organizations, and advocacy groups; and

(2) Four members appointed by the speaker of the council, chosen from individuals representing provider organizations and advocacy groups.

c. In addition the mayor, or the coordinator of criminal justice, shall invite the governor of the state of New York, or the governor's designee, to appoint a representative to the task force.

d. Membership on the task force shall not constitute the holding of a public office, and members of the task force shall not be required to take or file oaths of office before serving on the task force. All members of the task force shall serve without compensation.

e. The task force shall meet at least four times per year.

f. The task force shall issue recommendations to the coordinator of criminal justice, or such other person as the mayor may designate, and the mayor, and council no later than 12 months after the final member of the task force is appointed. Such report shall, to the extent practicable, include but not be limited to the following information regarding pay parity between the city attorneys:

1. An analysis of the salaries - both starting and longitudinal - between assistant district attorney's, public defenders, and attorneys in city agencies, including the department of education, the department of correction, and the law department.

2. An analysis of the organizational structure, budgetary constraints and hiring and retention policies of the city's district attorney offices and indigent defense providers, including but not limited to: (i) the unique retention issues for the agencies and nonprofits employing criminal court attorneys, including an analysis of caseloads (differentiated by felonies and misdemeanors); (ii) the funding streams for district attorney offices and indigent defense providers including state and federal contributions; (iii) attrition rates of assistant district attorney's and public defenders, within the first three to five years of practice; (iv) how office infrastructure, organizational culture, and court delay effect retention rates; (v) how other cities have approached the issue of pay parity; and (vi) how the city can work with providers to improve retention rates; and

3. Any other recommendations to assist in supporting and sustaining the city's assistant district attorneys and public defenders, including, but not limited to potential legislative reforms.

f. Following the publication of the initial report, the task force shall continue to meet at least four times

a year and shall make supplemental recommendations, as needed, to the coordinator of criminal justice, or such other person as the mayor may designate. Such coordinator or other person shall publish supplemental annual reports, as needed, updating the mayor and council on any progress in the implementation of the recommendations contained in the initial report.

g. The task force shall cease to exist four years after the publication of its initial report.

§2. This local law takes effect immediately.

MKW

LS 7467