



Legislation Text

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Int. No. 2085

By Council Member Kallos

A Local Law in relation to clearing the backlog of background investigations conducted by the department of investigation

Be it enacted by the Council as follows:

Section 1. Definitions. As used in this local law, the term “background investigation” means a background investigation conducted pursuant to executive order number 16 for the year 1978, as amended by executive order number 72 for the year 1984, as such executive order may be further amended.

§ 2. The commissioner of investigation shall ensure that as of January 1, 2023, no background investigation initiated prior to July 5, 2022 remains pending.

§ 3. No later than January 31, 2023, the commissioner of investigation shall submit to the mayor and the speaker of the council a report indicating the number of background investigations, if any, that were pending with the department of investigation for more than 180 days as of January 1, 2023.

§ 4. No later than January 31, 2021, the commissioner of investigation, in consultation with each city agency, shall develop and submit to the mayor and the speaker of the council a plan to reform the background investigation process to allow the department of investigation to complete at least a portion of each background investigation, including, at a minimum, a criminal records check, prior to the prospective employee’s start date.

§ 5. The commissioner of investigation shall audit each city agency to identify instances from the 2020 calendar year in which the agency either failed to notify the department of investigation of an appointment, promotion, or transfer of an individual requiring a background investigation or failed to provide the department of investigation with the documentation required to commence a background investigation within 30 days of

such appointment, promotion, or transfer.

§ 6. No later than July 1, 2021, the commissioner of investigation shall submit to the mayor and the speaker of the council a report summarizing the findings of the audit performed pursuant to section five. Such report shall include a table in which each separate row references a unique city agency. Each row shall include the following information, as well as any additional information the commissioner of investigation deems appropriate, set forth in separate columns:

a. the number of unique instances identified in which the agency failed to notify the department of investigation of an appointment, promotion, or transfer of an individual requiring a background investigation; and

b. the number of unique instances identified in which the agency failed to provide the department of investigation with the documentation required to commence a background investigation within 30 days of an appointment, promotion, or transfer requiring a background investigation.

§ 7. This local law takes effect immediately.

CJM
LS #14163
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