



Legislation Text

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Int. No. 586

By the Public Advocate (Mr. Williams) and Council Members Avilés, Cabán, Louis, Hanif, Joseph, Nurse, Gutiérrez, Hudson, Sanchez, De La Rosa, Farías, Restler, Won, Narcisse, Brooks-Powers, Ossé, Richardson Jordan, Menin, Bottcher, Krishnan, Abreu, Brewer, Barron, Riley, Rivera, Feliz and Marte (in conjunction with the Brooklyn Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on police-civilian investigative encounters

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 by adding a new section 14-193 to read as follows:

§ 14-193 Report on investigative encounters. a. Definitions. For purposes of this section, the following terms have the following meanings:

Investigative encounter. The term “investigative encounter” means an interaction between a member of the department and a member of the public for a law enforcement or investigative purpose.

Level I encounter. The term “level I encounter” means an investigative encounter in which a member of the department requests information from a member of the public based on an objective credible reason, and need not necessarily require any suspicion of criminal activity.

Level II encounter. The term “level II encounter” means an investigative encounter in which a member of the department requests explanatory information based on a founded suspicion that criminal activity is afoot, and in which a reasonable person would feel free to leave.

Level III encounter. The term “level III encounter” means an investigative encounter in which a reasonable person would not feel free to disregard the member of the department and walk away.

b. Beginning July 1, 2022, and quarterly thereafter, the department shall submit to the mayor, the public advocate and speaker of the council, and shall post on its website, a report for the previous quarter regarding investigative encounters conducted by the department. Such report shall include, but need not be limited to, the following:

1. The total number of level I encounters;
2. The total number of level II encounters; and
3. The total number of level III encounters.

c. The information required pursuant to subdivision b of this section shall be disaggregated by the precinct where such encounter occurred and further disaggregated by each of the following:

- 1, The apparent race/ethnicity, gender, and age of the member of the public involved;
2. The factors leading to the investigative encounter;
3. Whether a criminal or civil summons was issued in connection with the encounter; and
4. Whether a use of force incident as defined in section 14-158 occurred in connection with the

encounter.

d. The information required pursuant to this section shall be stored permanently and shall be accessible from the department's website. The information shall be provided in a format that permits automated processing. Each report shall include a comparison of the current reporting period to the prior four reporting periods, where such information is available.

§ 2. This local law takes effect immediately.

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