



Legislation Text

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Int. No. 1262

By Council Members Powers, Schulman, Louis, Banks, Restler, Brannan and Menin

A Local Law to amend the administrative code of the city of New York, in relation to the police commissioner providing district attorneys with access to electronic materials for discovery purposes

Be it enacted by the Council as follows:

Section 1. Section 14-101 of the administrative code of the city of New York, as amended by local law number 71 for the year 2016, is amended by adding a new definition of “electronic records system” in alphabetical order to read as follows:

Electronic records system. The term “electronic records system” means any electronic recordkeeping system maintained by the department that contains information required for compliance by a district attorney in the city with discovery obligations established in article 245 of the criminal procedure law, including but not limited to documents, audio files, or video files.

§ 2. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-199 to read as follows:

§ 14-199 Access to electronic records systems for district attorneys. a. Provision of access. 1. The commissioner, in coordination with the commissioner of information technology and telecommunications, shall provide each district attorney in the city with a minimum of one set of credentials to access all electronic records systems. The commissioner may limit such access to the viewing, downloading, and printing of records contained within the electronic records system. The commissioner shall limit such access to information required for compliance by a district attorney with discovery obligations established in article 245 of the criminal procedure law.

2. The commissioner, in coordination with the commissioner of information technology and telecommunications, shall ensure that each set of credentials provides access as set forth in paragraph 1 of this subdivision at a minimum within the physical premises of a district attorney's office.

b. Expeditious updating of electronic records systems. The commissioner shall ensure that the department expeditiously catalogues information, including but not limited to information that would be required for compliance by a district attorney in the city with discovery obligations established in article 245 of the criminal procedure law, in the appropriate electronic records systems.

c. Rulemaking. The commissioner may promulgate rules necessary for the implementation of this section.

§ 3. This local law takes effect 120 days after it becomes law.

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