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|  | **The Council of the City of New York**  **Finance Division**  Latonia McKinney, Director  **Fiscal Impact Statement**  **Proposed Intro. No. 2212-A**  **Committee:** Civil and Human Rights |
| **Title:**  A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to clarifying that the New York city civilian complaint review board has the power to investigate bias-based policing and racial profiling, requiring such board to investigate past professional conduct by members of the police department determined to have engaged in acts of bias and to make remedial recommendations and requiring the police department to engage an external consultant to perform a review of certain past work done by the equal employment opportunity division of the police department | **Sponsors:** By Council Members Gibson, Kallos, Constantinides, Louis, Chin, Rosenthal, and Rivera |
| **Summary of Legislation:** Proposed Intro. No. 2212-A would clarify that the Civilian Complaint Review Board (CCRB) has the power to investigate bias-based policing and racial profiling complaints made by the public. It would also provide that based on a final determination by the New York Police Department (NYPD), the CCRB, the Commission on Human Rights, the Department of Investigation or a court that a member of the NYPD engaged in an act of bias, the CCRB would be empowered to investigate past professional conduct by the member. This bill would require details of any investigation initiated pursuant to this legislation to be included in CCRB’s semi-annual report. This legislation would authorize the CCRB to engage a third party to assist with any investigation conducted under the legislation. Lastly, the bill would require the NYPD to engage an independent, external consultant to perform a review cases handled by the NYPD’s Equal Employment Opportunity Division (EEO Division) between October 1, 2017 and October 31, 2020. | |
| **Effective Date:** Sections one through four of this local law, which relates to the CCRB investigation provisions and updates to NYPD centralized system, would take effect 270 days after they become law; section five, which relates to the independent review of NYPD’s EEO Division, would take effect 30 days after it becomes law. | |
| **Fiscal Year In Which Full Fiscal Impact Anticipated:** Fiscal 2022 | |
| **Fiscal Impact Statement:**   |  |  |  |  | | --- | --- | --- | --- | |  | **Effective FY21** | **FY Succeeding**  **Effective FY22** | **Full Fiscal** Impact FY22 | | **Revenues (+)** | $0 | $0 | $0 | | **Expenditures (-)** | $450,000 | $3,900,000 | $0 | | **Net** | $450,000 | $3,900,000 | $0 | | |
| **Impact on Revenues:** It is anticipated that there would be no impact on revenues resulting from the enactment of this legislation. | |
| **Impact on Expenditures:** The legislation is anticipated to have an impact on expenditures for CCRB and NYPD. CCRB will require $3.9 million annually to comply with the requirements of this legislation, and $230,000 for a one-time expenditure. The annual cost is based on CCRB’s estimate of 57 new positions across two new units - one unit to investigate bias incidents and one unit dedicated to investigating and analyzing the historical conduct of an officer. The positions include 40 investigators and 17 other positions including supervisors, policy analysts, attorneys, and administrative staff. The $3.9 million annual cost estimate would also account for recurring costs, which include expenditures for Other Than Personal Services (OTPS) such as software, office space, and supplies. Additionally, the one-time OTPS expenditure for CCRB is required for training, computers, and other start-up expenditures. NYPD would require a one-time expenditure of $220,000 to engage a consultant for the review, analysis, and report on NYPD’s EEO Division. The table above lists $450,000 for Fiscal 2021 which is the total for one-time costs for both NYPD and CCRB. | |
| **Source of Funds To Cover Estimated Costs:** General Fund | |
| **Source of Information:** Civilian Complaint Review Board  New York City Council Finance Division  **Estimate Prepared by**: Nevin Singh, Financial Analyst  **Estimate reviewed by:** Eisha Wright, Unit Head  Stephanie Ruiz, Assistant Counsel  **Legislative History:** This legislation was first considered by the Committee on Civil and Human Rights (Committee) as a Preconsidered Introduction on February 8, 2021 and the bill was laid over. This legislation was introduced to the full Council on February 11, 2021 as Intro. No. 2212 and was referred to the Committee. The legislation was subsequently amended and the amended version, Proposed Intro. No. 2212-A, will be voted on by the Committee at a hearing on March 25, 2021. Upon successful vote by the Committee, Proposed Intro. No. 2212-A will be submitted to the full Council for a vote on March 25, 2021.  **Date Prepared:** March 23, 2021 | |
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