



Legislation Details (With Text)

File #: Int 0586-2022 **Version:** A **Name:** How Many Stops Act - Requiring the police dept to report on police-civilian investigative encounters.

Type: Introduction **Status:** Enacted
In control: Committee on Public Safety

On agenda: 7/14/2022

Enactment date: 1/30/2024 **Enactment #:** 2024/043

Title: 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

Sponsors: Public Advocate Jumaane Williams, Alexa Avilés, Tiffany Cabán, Farah N. Louis, Shahana K. Hanif, Rita C. Joseph, Sandy Nurse, Jennifer Gutiérrez, Crystal Hudson, Pierina Ana Sanchez, Carmen N. De La Rosa, Amanda Farías, Lincoln Restler, Julie Won, Selvena N. Brooks-Powers, Chi A. Ossé, Kristin Richardson Jordan, Julie Menin, Shekar Krishnan, Shaun Abreu, Gale A. Brewer, Charles Barron, Kevin C. Riley, Carlina Rivera, Oswald Feliz, Christopher Marte, Nantasha M. Williams, Diana I. Ayala, Althea V. Stevens, Adrienne E. Adams, (in conjunction with the Brooklyn Borough Presiden

Indexes: Report Required

Attachments: 1. Summary of Int. No. 586-A, 2. Summary of Int. No. 586, 3. Int. No. 586, 4. July 14, 2022 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 7-14-22, 6. Minutes of the Stated Meeting - July 14, 2022, 7. Committee Report 3/27/23, 8. Hearing Testimony 3/27/23, 9. Hearing Transcript 3/27/23, 10. Proposed Int. No. 586-A - 12/15/23, 11. Committee Report 12/20/23, 12. Hearing Testimony 12/20/23, 13. Hearing Transcript 12/20/23, 14. Committee Report - Stated Meeting, 15. December 20, 2023 - Stated Meeting Agenda, 16. Hearing Transcript - Stated Meeting 12-20-23, 17. Committee Report 1/30/24, 18. Hearing Testimony 1/30/24, 19. Hearing Transcript 1/30/24, 20. Committee Report - Stated Meeting, 21. January 30, 2024 - Stated Meeting Agenda, 22. Hearing Transcript - Stated Meeting 1-30-24 (1:30 pm), 23. Minutes of the Stated Meeting - January 30, 2024 (PM), 24. Mayor's Veto Message, 25. Int. No. 586-A (FINAL), 26. Fiscal Impact Statement, 27. Local Law 43

Date	Ver.	Action By	Action	Result
7/14/2022	*	City Council	Introduced by Council	
7/14/2022	*	City Council	Referred to Comm by Council	
3/27/2023	*	Committee on Public Safety	Hearing Held by Committee	
3/27/2023	*	Committee on Public Safety	Laid Over by Committee	
12/20/2023	*	Committee on Public Safety	Hearing Held by Committee	
12/20/2023	*	Committee on Public Safety	Amendment Proposed by Comm	
12/20/2023	*	Committee on Public Safety	Amended by Committee	
12/20/2023	A	Committee on Public Safety	Approved by Committee	Pass
12/20/2023	A	City Council	Approved by Council	Pass
12/20/2023	A	City Council	Sent to Mayor by Council	
1/19/2024	A	Mayor	Vetoed by Mayor	
1/30/2024	A	Committee on Public Safety	Hearing Held by Committee	
1/30/2024	A	Committee on Public Safety	Approved by Committee	Pass
1/30/2024	A	City Council	Overridden by Council	Pass

Int. No. 586-A

By the Public Advocate (Mr. Williams) and Council Members Avilés, Cabán, Louis, Hanif, Joseph, Nurse, Gutiérrez, Hudson, Sanchez, De La Rosa, Farias, Restler, Won, Brooks-Powers, Ossé, Richardson Jordan, Menin, Krishnan, Abreu, Brewer, Barron, Riley, Rivera, Feliz, Marte, Williams, Ayala, Stevens and The Speaker (Council Member Adams) (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 14-196 to read as follows:

§ 14-196 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. The term does not include a casual conversation or interaction between a member of the department and a member of the public unless such conversation or interaction is based on or, in the course of such conversation or interaction, an officer develops: an objective credible reason to approach; a founded suspicion that such member of the public has engaged in or will engage in criminal activity; a reasonable suspicion that such member of the public has committed, is committing, or is about to commit a crime; or a reasonable cause to believe that an offense is being or has been committed.

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 for such encounter, 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 information from a member of the public based on a founded suspicion that such member of the public has engaged in or will engage in criminal activity, and during which a reasonable person

would feel free to leave.

Level III encounter. The term “level III encounter” means an investigative encounter in which a member of the department requests information from a member of the public based on a reasonable suspicion that such member of the public has committed, is committing, or is about to commit a crime, and during which a reasonable person would not feel free to leave.

Use of force incident. The term “use of force incident” has the same meaning as set forth in subdivision a of section 14-158.

b. Within 30 days of the quarter ending September 30, 2024, and thereafter within 30 days of the end of each quarter, the department shall submit to the mayor, the public advocate and the speaker of the council and 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;
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 in which 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 in the investigative encounter;

2. The reason for the investigative encounter, including the conduct or offense or other circumstances that formed the basis for the investigative encounter;

3. Whether the investigative encounter was based on observations made by a member of the department, a response to a dispatch from a police radio, information provided by a witness, or on another basis;

4. Whether a criminal or civil summons was issued to the member of the public involved in the investigative encounter, or whether an arrest of such person was made;

5. Whether a use of force incident involving such member of the public occurred during such encounter;
and

6. Whether a level III encounter with such member of the public began as a level I or level II encounter,
and whether a level II encounter with such member of the public began as a level I 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.

Session 12
NAB, JW
LS #2190
11/28/23

Session 11
EB
LS 9689
Int. #2481-2021