



Legislation Text

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Int. No. 944-A

By Council Members Hanks, Louis, Richardson Jordan, Abreu, De La Rosa, Brewer, Rivera, Cabán and Hudson

A Local Law to amend the administrative code of the city of New York, in relation to the evaluation of civil actions alleging improper conduct by the police department

Be it enacted by the Council as follows:

Section 1. Section 7-114 of the administrative code of the city of New York, as amended by local law number 48 for the year 2021, is amended to read as follows:

§ 7-114 Civil actions regarding the police department and covered individuals.

a. Definitions. For purposes of this section, the following terms have the following meanings:

Covered action. The term “covered action” means a civil action filed in local, state or federal court against the police department or a covered individual, or both, resulting from allegations of improper police conduct, including, but not limited to, claims involving the use of force, assault and battery, malicious prosecution, false arrest or imprisonment, or deprivation of a right pursuant to chapter 8 of title 8.

Covered individual. The term “covered individual” has the meaning ascribed to such term in section 8-801.

b. No later than January 31, [2018] 2025 and no later than each July 31 and January 31 thereafter, the law department shall post on its website in a searchable and machine-readable format, and provide notice of such posting to the individual responsible for implementing the duties set forth in paragraph one of subdivision c of section 803 of the charter, the comptroller, the police department, the civilian complaint review board, and the commission to combat police corruption, the following information regarding [civil actions filed in local,

state or federal court against the police department or a covered individual, or both, resulting from allegations of improper police conduct, including, but not limited to, claims involving the use of force, assault and battery, malicious prosecution, false arrest or imprisonment, or deprivation of a right pursuant to chapter 8 of title 8] covered actions:

1. a list of [civil actions filed against the police department or a covered individual, or both,] covered actions filed during the five-year period preceding each January 1 or July 1 immediately preceding each report, and each covered action filed prior to such five-year period that has been resolved during the six-month period preceding each such January 1 or July 1;

2. for each such covered action: (i) the [identities] names of the plaintiffs and defendants; (ii) the court in which the action was filed; (iii) the name of the law firm representing the plaintiff; (iv) the name of the law firm or agency representing each defendant; (v) the date the action was filed; and (vi) whether the plaintiff alleged improper police conduct, including, but not limited to, claims involving use of force, assault and battery, malicious prosecution, false arrest or imprisonment, or deprivation of a right pursuant to chapter 8 of title 8; and

3. [if an] for any such covered action that has been resolved: (i) the date on which it was resolved; (ii) the manner in which it was resolved; and (iii) whether the resolution included a payment to the plaintiff by the city, or by a covered individual or an employer or other person paying on behalf of a covered individual, and, if so, the amount of such payment.

c. No later than January 31, 2025, the law department shall post and maintain on its website, in a searchable and machine-readable format, a report on covered actions filed during each calendar year of the ten-year period preceding the January 1 immediately preceding such report, and no later than January 31, 2030 and every five years thereafter, the law department shall post and maintain on its website, in a searchable and machine-readable format, a report on covered actions filed during each calendar year of the five-year period preceding the January 1 immediately preceding each such report. Each such report shall include, but need not

be limited to, the following information for each calendar year of such ten-year period or five-year period:

1. the number of covered actions filed during such calendar year;

2. the number of covered actions filed during such calendar year that remain unresolved as of January 1 of the year the report is submitted; and

3. the number of covered actions filed during such calendar year that have been resolved as of January 1 of the year the report is submitted, disaggregated by manner of resolution.

§ 2. This local law takes effect immediately.

JW/JDK
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