



Legislation Text

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Int. No. 344

By Council Members Ossé, Louis, Yeger, Abreu and Sanchez

A Local Law to amend the administrative code of the city of New York, in relation to the investigating, reviewing, studying, and auditing of and making of recommendations relating to the operations, budget, and staffing of the New York Public Library, the Brooklyn Public Library and the Queens Public Library by the commissioner of investigation

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 803 of chapter 34 of the New York city charter, as amended by local law 165 of 2016, and as further amended by chapter 322 of the laws of 2021, is amended to read as follows:

d. 1. The commissioner shall, immediately upon appointment of the individual described in paragraph 2 of this subdivision, in addition to the investigatory work done in the normal course of the commissioner's duties, on an ongoing basis, conduct system-wide investigations, reviews, studies, and audits, and make recommendations regarding system-wide operations, policies, programs, and practices of the department of correction, with the goal of improving conditions in city jails, including but not limited to, reducing violence in departmental facilities, protecting the safety of departmental employees and incarcerated individuals, protecting the rights of incarcerated individuals, and increasing the public's confidence in the department of correction.

The commissioner may consider, in addition to any other information the commissioner deems relevant, information regarding civil actions filed in state or federal court against individual correction officers or the city regarding the department of correction, notices of claim received by the comptroller filed against individual correction officers or the city regarding the department of correction, settlements by the comptroller of claims filed against individual correction officers or the city regarding the department of correction, complaints received and investigations conducted by the board of correction, complaints received and any investigations

regarding such complaints conducted by the department of correction, complaints received pursuant to section 804 of this chapter, and any criminal arrests or investigations of individual correction officers known to the department of investigation in its ongoing review of the department of correction.

2. No later than 90 days after the effective date of the local law that added this subdivision, the commissioner shall appoint an individual responsible for implementing the duties described in paragraph 1 of this subdivision and shall report to the council regarding the identity and qualifications of such individual, the number of personnel assigned or to be hired to assist such individual as deemed necessary by the commissioner, and the details of the management structure covering them. In the event such individual is removed or resigns, the commissioner shall replace such individual within 90 days of such removal or resignation and shall provide notification of such replacement, and the identity and qualifications of the new individual responsible for overseeing the implementation of the duties described in paragraph 1 of this subdivision.

3. No officer or employee of an agency of the city shall take any adverse personnel action with respect to another officer or employee in retaliation for such person making a complaint to, disclosing information to, or responding to queries from the commissioner pursuant to activities undertaken pursuant to paragraph 1 of this subdivision unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity. Any officer or employee who believes he or she has been retaliated against in violation of this subdivision may report such action to the commissioner as provided for in subdivision c of section 12-113 of the administrative code.

4. The department's website will provide a link for individuals to report any problems and deficiencies relating to the department of correction's operations, policies, programs and practices. Individuals making such reports will not be required to provide personally identifying information.

5. For any investigation, review, study, or audit made pursuant to subdivision j of this section, the commissioner shall prepare a written report or statement of findings and shall forward a copy of such report or

statement to the mayor, the council, and the presidents of the New York Public Library, the Brooklyn Public Library and the Queens Public Library upon completion. Within ninety days of receiving such report or statement, each such president shall provide a written response to the commissioner, the mayor, and the council. Each such written report or statement, along with a summary of its findings, as well as the reports described in paragraph 6 of this subdivision, shall be posted on the department's website in a format that is searchable and downloadable and that facilitates printing no later than 10 days after it is delivered to the mayor, the council, and the presidents of the New York Public Library, the Brooklyn Public Library and the Queens Public Library. All such reports, statements, and summaries so posted on the department's website shall be made easily accessible from a direct link on the homepage of the website of the department.

6. In addition to the written reports and statements of findings to be delivered to the mayor, the council, and the presidents of the New York Public Library, the Brooklyn Public Library and the Queens Public Library pursuant to paragraph 5 of this subdivision, the department shall submit quarterly report on the activities undertaken pursuant to subdivision j of this section. The first quarterly summary report required by this paragraph shall be completed and delivered to the mayor, the council, and the presidents of the New York Public Library, the Brooklyn Public Library and the Queens Public Library by October 31, 2018. Subsequent reports shall be submitted by January 31, 2019, April 30, 2019, and July 31, 2019 and shall be submitted to the mayor and the council by these four days each year.

§ 2. Section 803 of chapter 34 of the New York city charter is amended to add a new subdivision j read as follows:

j. The commissioner shall, on an ongoing basis, investigate, review, study, audit and make recommendations relating to the operations, budget, and staffing of the New York Public Library, the Brooklyn Public Library and the Queens Public Library.

§ 3. This law shall take effect immediately upon enactment.

Session 12:

BJR

LS 8642

4/25/22

Session 11:

TM/KET / BM

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