

5950

2013-2014 Regular Sessions

I N S E N A T E

October 11, 2013

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the civil rights law, in relation to including probation officers with respect to the confidentiality of personnel records of police officers, firefighters and correction officers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 50-a of the civil rights law, as
2 amended by section 53 of subpart B of part C of chapter 62 of the laws
3 of 2011, is amended to read as follows:
4 1. All personnel records used to evaluate performance toward continued
5 employment or promotion, under the control of any police agency or
6 department of the state or any political subdivision thereof including
7 authorities or agencies maintaining police forces of individuals defined
8 as police officers in section 1.20 of the criminal procedure law and
9 such personnel records under the control of a sheriff's department or a
10 department of correction of individuals employed as correction officers
11 and such personnel records under the control of a paid fire department
12 or force of individuals employed as firefighters or
13 firefighter/paramedics and such personnel records under the control of
14 the department of corrections and community supervision for individuals
15 defined as peace officers pursuant to subdivisions twenty-three [and],
16 twenty-three-a AND TWENTY-FOUR of section 2.10 of the criminal procedure
17 law shall be considered confidential and not subject to inspection or
18 review without the express written consent of such police officer, fire-
19 fighter, firefighter/paramedic, correction officer or peace officer
20 within the department of corrections and community supervision except as
21 may be mandated by lawful court order.
22 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD11765-02-3