

STATE OF NEW YORK

111

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. GALLIVAN, BORRELLO, MATTERA, MURRAY, OBERACKER, PALUMBO, RHOADS, WEBER, WEIK -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

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

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The civil rights law is amended by adding a new section
2 50-a to read as follows:

3 § 50-a. Personnel records; confidentiality of police officers, fire-
4 fighters, correction officers and probation officers. 1. All personnel
5 records used to evaluate performance toward continued employment or
6 promotion, under the control of any police agency or department of the
7 state or any political subdivision thereof including authorities or
8 agencies maintaining police forces of individuals defined as police
9 officers pursuant to subdivision thirty-four of section 1.20 of the
10 criminal procedure law and such personnel records under the control of a
11 sheriff's department or a department of correction of individuals
12 employed as correction officers and such personnel records under the
13 control of a paid fire department or force of individuals employed as
14 firefighters or firefighter/paramedics and such personnel records under
15 the control of the department of corrections and community supervision
16 for individuals defined as peace officers pursuant to subdivisions twen-
17 ty-three and twenty-three-a of section 2.10 of the criminal procedure
18 law and such personnel records under the control of a probation depart-
19 ment for individuals defined as peace officers pursuant to subdivision
20 twenty-four of section 2.10 of the criminal procedure law shall be
21 considered confidential and not subject to inspection or review without
22 the express written consent of such police officer, firefighter,

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

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1 firefighter/paramedic, correction officer or peace officer within the
2 department of corrections and community supervision or probation depart-
3 ment except as may be mandated by lawful court order.

4 2. Prior to issuing such court order the judge must review all such
5 requests and give interested parties the opportunity to be heard. No
6 such order shall issue without a clear showing of facts sufficient to
7 warrant the judge to request records for review.

8 3. If, after such hearing, the judge concludes there is a sufficient
9 basis such judge shall sign an order requiring that the personnel
10 records in question be sealed and sent directly to such judge who shall
11 then review the file and make a determination as to whether the records
12 are relevant and material in such action. Upon such finding the court
13 shall make those parts of the record found to be relevant and material
14 available to the persons so requesting.

15 4. The provisions of this section shall not apply to any district
16 attorney or assistants, the attorney general or deputies or assistants,
17 a county attorney or deputies or assistants, a corporation counsel or
18 deputies or assistants, a town attorney or deputies or assistants, a
19 village attorney or deputies or assistants, a grand jury, or any agency
20 of government which requires the records described in subdivision one of
21 this section, in the furtherance of their official functions.

22 § 2. This act shall take effect immediately.