S T A T E O F N E W Y O R K

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2011-2012 Regular Sessions

I N A S S E M B L Y

June 6, 2011

Introduced by M. of A. CASTRO, N. RIVERA, DINOWITZ, LINARES, CRESPO, REILLY, SCARBOROUGH, GIBSON, P. RIVERA, PERRY, M. MILLER, SIMANOWITZ, COLTON, MONTESANO, McKEVITT, TOBACCO -- Multi-Sponsored by -- M. of A. CALHOUN, FARRELL, JACOBS, J. MILLER, ROBINSON -- read once and referred to the Committee on Cities -- recommitted to the Committee on Cities in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the administrative code of the city of New York, in relation to enactment of the "safe streets security camera registry act"

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

Section 1. Short title. This act shall be known and may be cited as the "safe streets security camera registry act".

S 2. Legislative intent. Currently, the police department of the city of New York collects information on the location of privately-owned security cameras manually, by means of periodic surveys conducted by patrol officers. Such surveys do not capture the locations of newly-installed privately-owned security cameras in a timely and complete manner due to their periodic nature and reliance on personal observations by officers. It is the intent of the legislature that the police department create an online security camera registry and database for all privately-owned and operated security cameras within the city of New York with fields of observation that look upon and capture video of public spaces, such as sidewalks, as well as lobbies, courtyards and vestibules of apartment buildings. Creating the security camera registry will strengthen the department's ability to pursue perpetrators of crimes by enhancing its ability to collect video evidence in a timely manner, thereby shortening the time needed to bring criminal investigations to a successful conclusion. The registry will only alert the department to

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

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the existence of privately-owned security cameras that observe persons in public places. Nothing in this legislation will impinge upon the civil liberties of the people of the city of New York.

S 3. The administrative code of the city of New York is amended by adding a new section 14-154 to read as follows:

S 14-154 SECURITY CAMERA REGISTRY. A. THE DEPARTMENT SHALL CREATE AND MAINTAIN AN ONLINE REGISTRY AND DATABASE OF ALL PRIVATELY-OWNED AND OPERATED SECURITY CAMERAS WITHIN THE CITY OF NEW YORK WITH FIELDS OF OBSERVATION THAT LOOK UPON AND CAPTURE VIDEO OF PUBLIC SPACES, SUCH AS SIDEWALKS, AS WELL AS LOBBIES, COURTYARDS AND VESTIBULES OF APARTMENT BUILDINGS.

B. ANY INDIVIDUAL, COMPANY OR ENTITY WHICH INSTALLS A NEW SECURITY CAMERA AFTER THE ENACTMENT OF THIS SECTION SHALL, WITHIN THIRTY DAYS AFTER INSTALLATION OF SUCH CAMERA, REGISTER THE LOCATION OF THE CAMERA AND THE CONTACT INFORMATION FOR THE OWNER OF THE CAMERA AND INCLUDE A BRIEF DESCRIPTION OF THE VIEW THE CAMERA CAPTURES WITH THE REGISTRY AND DATABASE CREATED AND MAINTAINED BY THE DEPARTMENT. THE OWNER OF THE CAMERA SHALL REGISTER SUCH INFORMATION WITH THE DEPARTMENT THROUGH THE DEPARTMENT'S ONLINE REGISTRY.

C. THE OWNER OF A SECURITY CAMERA WHICH HAS BEEN INSTALLED PRIOR TO THE ENACTMENT OF THIS SECTION SHALL HAVE NINETY DAYS AFTER THE ENACTMENT OF THIS SECTION TO REGISTER THE LOCATION OF THE CAMERA AND THE CONTACT INFORMATION FOR THE OWNER OF THE CAMERA WITH THE DEPARTMENT'S REGISTRY AND INCLUDE A BRIEF DESCRIPTION OF THE VIEW THE CAMERA CAPTURES AS SET FORTH IN SUBDIVISION B OF THIS SECTION.

D. IN THE EVENT THAT A CRIME OCCURS WITHIN THE VICINITY OF A SECURITY CAMERA REGISTERED WITH THE DEPARTMENT'S DATABASE, THE DEPARTMENT SHALL OBTAIN THE CONSENT OF THE CAMERA OWNER TO VIEW ANY FOOTAGE RECORDED OR OTHERWISE OBTAIN A SUBPOENA FOR PRODUCTION OF SUCH VIDEO.

E. THE SECURITY CAMERA REGISTRY AND DATABASE SHALL BE USED SOLELY FOR LAW ENFORCEMENT PURPOSES. ANY DATA, RECORDS, PHOTOS, VIDEOS OR INFORMATION COLLECTED FOR SUCH CAMERA REGISTRY SHALL NOT BE SUBJECT TO THE FREEDOM OF INFORMATION LAW PURSUANT TO SUBDIVISION TWO OF SECTION EIGHTY-NINE OF THE PUBLIC OFFICERS LAW.

S 4. This act shall take effect immediately.