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

6407--A

I N S E N A T E

February 6, 2012

Introduced by Sens. PARKER, ADAMS, PERKINS -- read twice and ordered printed, and when printed to be committed to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the New York city charter, in relation to establishing an independent inspector general for the city of New York police department

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

Section 1. Section 801 of the New York city charter, as amended by local law number 59 of the city of New York for the year 1996, is amended to read as follows:

S 801. Department; commissioner. There shall be a department of investigation the head of which shall be the commissioner of investigation. THE COMMISSIONER SHALL BE APPOINTED BY THE MAYOR AND BY AND WITH THE ADVICE AND CONSENT OF THE CITY COUNCIL. The commissioner shall be a member of the bar of the state of New York in good standing [and], shall have had at least five years of law enforcement experience AND SHALL BE SUBJECT TO A SECURITY CLEARANCE INVESTIGATION BY A STATE OR FEDERAL AGENCY AUTHORIZED TO PERFORM SUCH INVESTIGATIONS. The mayor may remove the commissioner upon filing in the office of the commissioner of citywide administrative services and serving upon the commissioner of investigation the reasons therefor and allowing such officer an opportunity of making a public explanation.

S 2. Subdivision e of section 803 of the New York city charter, as added by local law number 79 of the city of New York for the year 1990, is amended to read as follows:

e. The commissioner shall forward to the council and to the mayor a copy of all reports and standards prepared by the corruption prevention and management review bureau, upon issuance by the commissioner. THE COMMISSIONER SHALL PRODUCE AN ANNUAL REPORT NO LATER THAN APRIL THIRTIETH OF EACH YEAR. SUCH REPORT SHALL BE MADE AVAILABLE TO THE PUBLIC UPON REQUEST AND AT A REASONABLE COST.

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

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S 3. Subdivision a of section 805 of the New York city charter is amended to read as follows:

a. For the purpose of ascertaining facts in connection with any study or investigation authorized by this chapter, the commissioner, EACH INSPECTOR GENERAL, and each deputy shall have full power to compel the attendance of witnesses, to administer oaths, AFFIRMATIONS, OR AFFIDAVITS and to examine such persons as he OR SHE may deem necessary.

S 4. Section 807 of the New York city charter, as added by a vote of the people of the city of New York at the general election held in November of 1975, is amended to read as follows:

S 807. Inspectors general of agencies. [No person shall be appointed as an inspector general of a city agency unless such appointment is approved by the commissioner of investigation] THE COMMISSIONER SHALL APPOINT AN INSPECTOR GENERAL FOR EACH CITY AGENCY, INCLUDING THE POLICE DEPARTMENT. SUCH INSPECTOR GENERAL SHALL BE SUBJECT TO A SECURITY CLEARANCE INVESTIGATION BY A STATE OR FEDERAL AGENCY AUTHORIZED TO PERFORM SUCH INVESTIGATIONS. The commissioner of investigation shall promulgate standards of conduct and shall monitor and evaluate the activities of inspectors general in the agencies to assure uniformity of activity by them.

S 5. This act shall take effect immediately.