

711

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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

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:

1     Section 1. Section 801 of the New York city charter, as amended by  
2     local law number 59 of the city of New York for the year 1996, is  
3     amended to read as follows:  
4     S 801. Department; commissioner. There shall be a department of inves-  
5     tigation the head of which shall be the commissioner of investigation.  
6     THE COMMISSIONER SHALL BE APPOINTED BY THE MAYOR AND BY AND WITH THE  
7     ADVICE AND CONSENT OF THE CITY COUNCIL. The commissioner shall be a  
8     member of the bar of the state of New York in good standing [and], shall  
9     have had at least five years of law enforcement experience AND SHALL BE  
10    SUBJECT TO A SECURITY CLEARANCE INVESTIGATION BY A STATE OR FEDERAL  
11    AGENCY AUTHORIZED TO PERFORM SUCH INVESTIGATIONS. The mayor may remove  
12    the commissioner upon filing in the office of the commissioner of city-  
13    wide administrative services and serving upon the commissioner of inves-  
14    tigation the reasons therefor and allowing such officer an opportunity  
15    of making a public explanation.  
16    S 2. Subdivision e of section 803 of the New York city charter, as  
17    added by local law number 79 of the city of New York for the year 1990,  
18    is amended to read as follows:  
19    e. The commissioner shall forward to the council and to the mayor a  
20    copy of all reports and standards prepared by the corruption prevention  
21    and management review bureau, upon issuance by the commissioner. THE  
22    COMMISSIONER SHALL PRODUCE AN ANNUAL REPORT NO LATER THAN APRIL THIRTI-

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

LBD02780-01-3

1 ETH OF EACH YEAR. SUCH REPORT SHALL BE MADE AVAILABLE TO THE PUBLIC UPON  
2 REQUEST AND AT A REASONABLE COST.

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

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

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

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

23 S 5. This act shall take effect immediately.