STATE OF NEW YORK

1758

2023-2024 Regular Sessions

IN ASSEMBLY

January 20, 2023

Introduced by M. of A. LAVINE, COLTON, COOK, WILLIAMS, J. M. GIGLIO, DICKENS -- Multi-Sponsored by -- M. of A. BRAUNSTEIN, HEVESI, HYNDMAN -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to exempting certain statements relating to sexual abuse or misconduct from disclosure

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

Section 1. Paragraph (e) of subdivision 2 of section 87 of the public officers law, as amended by chapter 155 of the laws of 2022, is amended to read as follows:

(e) are compiled for law enforcement purposes only to the extent that disclosure would:

i. interfere with law enforcement investigations or judicial proceedings, provided however, that any agency, which is not conducting the investigation that the requested records relate to, that is considering denying access pursuant to this subparagraph shall receive confirmation from the law enforcement or investigating agency conducting the investigation that disclosure of such records will interfere with an ongoing investigation;

ii. deprive a person of a right to a fair trial or impartial adjudication;

iii. identify a confidential source or disclose confidential information relating to a criminal investigation; [~~or~~]

iv. reveal criminal investigative techniques or procedures, except routine techniques and procedures; **or**

v. reveal any statement made by a witness or victim relating to sexual abuse or misconduct;

§ 2. This act shall take effect immediately.

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

LBD02752-01-3