

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 disclo-
sure

The People of the State of New York, represented in Senate and Assem-
bly, 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 consid-
ering denying access pursuant to this subparagraph shall receive confir-
mation 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 adjudi-
cation;

iii. identify a confidential source or disclose confidential informa-
tion 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