§ 63-e. Office of immigrant trust. 1. (a) There is hereby established an immigrant trust office in the department of law. The head of the unit shall be appointed by the attorney general.

(b) Notwithstanding any other provision of law, rule, or regulation to the contrary, the attorney general shall establish, through executive order, processes and procedures for screening such unit head and the entire unit from records, communication, and information related to the civil defense of state officials and employees, and persons involved in the civil defense of state officials and employees from records, communication, and information relating to an investigation or investigations by such unit relating to potential violation of this law. The executive order establishing screens shall be sufficient to satisfy the rules of professional conduct regarding conflicts and to protect the rights of state officials and employees who are the subject of an investigation or civil action under this section by ensuring that the individuals conducting or otherwise involved in such investigation or civil action do not have access to any non-public records or information obtained in the course of the office's civil defense of state employees.

2. Notwithstanding any other provision of law, the immigrant trust office shall establish and maintain a process to solicit and receive complaints from the public alleging knowing, intentional, or willful violations of article fifteen-AA of this chapter, section one hundred seventy-k of this chapter, article nineteen-D of the general municipal law, and section thirty-two hundred one-b of the education law, by state and local entities, officers, or employees, or their contractors, including the improper or unlawful use of state or local resources for immigration enforcement and the improper or unlawful sharing of information by state or local entities, officers, or employees, or their contractors, with federal immigration authorities.

3. (a) The immigrant trust office shall have the power to investigate complaints or violations of article fifteen-AA of this chapter, section one hundred seventy-k of this chapter, article nineteen-D of the general municipal law, and section thirty-two hundred one-b of the education law. Such power shall also include the ability to:

(i) take proof and issue subpoenas in accordance with the civil

practice law and rules;

(ii) subpoena and enforce the attendance of witnesses;

(iii) administer oaths or affirmations and examine witnesses under oath;

(iv) notwithstanding any laws to the contrary, examine and copy or remove documents or records of any kind prepared, maintained, or held by any employer or agency;

(v) visit and inspect all local correctional facilities, and speak with people detained therein for the purposes of investigating potential violations and ensuring compliance with this section; and

(vi) perform any other functions that are necessary or appropriate to fulfill the duties and responsibilities of office.

(b) The attorney general shall have the powers enumerated under paragraph (a) of this subdivision with respect to any entity covered by article fifteen-AA of this chapter, section one hundred seventy-k of this chapter, article nineteen-D of the general municipal law, and section thirty-two hundred one-b of the education law, and its employees and agents as outlined in this section, except:

(i) agencies under the executive authority of the governor;

(ii) entities that are statutorily entitled to representation by the department of law;

(iii) entities whose officers and employees are statutorily entitled to representation by the department of law; and

(iv) entities that are subject to the jurisdiction of the New York court of claims.

(c) Upon referral by the governor, the attorney general shall have the powers enumerated under paragraph (a) of this subdivision with regard to employees and agents of:

(i) agencies under the executive authority of the governor;

(ii) entities that are statutorily entitled to representation by the department of law pursuant to section seventeen of the public officers law;

(iii) entities whose officers and employees are statutorily entitled to representation by the department of law; and

(iv) entities that are subject to the jurisdiction of the New York court of claims.

(d) Nothing in this section shall in any way limit rights or remedies

which are otherwise available under law to the attorney general or any other person.

4. Upon receipt and review of a complaint, deemed credible, of a violation of article fifteen-AA of this chapter, or section one hundred seventy-k of this chapter, or upon its own initiative when the office learns through the regular course of its duties of a suspected violation of article fifteen-AA of this chapter, or section one hundred seventy-k of this chapter, the office shall, where the alleged violation involves a state agency or a state employee, transmit a request for a referral regarding such credible complaint to the governor. The governor shall review such request and make a determination on whether to refer the matter to the office for investigation, and upon such referral back to the office, the office shall investigate the alleged violation and, if warranted, may commence a civil action for appropriate injunctive or declaratory relief, enter into assurances of discontinuance, or seek the imposition of a period of monitoring of the state entity by the office.

5. Upon receipt of a complaint deemed credible of a violation of article nineteen-D of the general municipal law, or section one hundred seventy-k of this chapter, or upon its own initiative when the office learns through the regular course of its duties of a suspected violation of article nineteen-D of the general municipal law, or section one hundred seventy-k of this chapter that involves a county, locality, or municipal corporation entity or employee, the office shall, notwithstanding any other provision of law, investigate the matter and, if warranted, may commence a civil action for appropriate injunctive or declaratory relief, enter into assurances of discontinuance, or seek the imposition of a period of monitoring of the municipal government entity by the office.

6. Upon receipt of a complaint deemed credible of a violation of section thirty-two hundred one-b of the education law or upon its own initiative when the office learns through the regular course of its duties of a suspected violation of such section, the office shall, notwithstanding any other provision of law, investigate the matter and, if warranted, may commence a civil action for appropriate injunctive or

declaratory relief, enter into assurances of discontinuance, or seek the imposition of a period of monitoring of the school by the office.