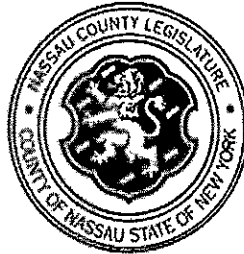


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OFFICE OF THE  
DEMOCRATIC MINORITY

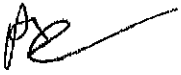


PETER J. CLINES, ESQ.  
MINORITY COUNSEL

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## Inter-Departmental Memo

To: Michael C Pulitzer, Clerk of the Legislature

From: Peter J. Clines, Esq., Minority Counsel 

CC: Hon. Richard Nicoletto, Presiding Officer

Hon. Kevan Abrahams, Minority Leader

Date: July 6, 2020

Re: A RESOLUTION TO DEVELOP AND ESTABLISH A POLICE COMPLAINT HOTLINE  
AND WEBSITE TO REPORT POLICE MISCONDUCT IN NASSAU COUNTY

Attached please find the above referenced resolution which has been approved as to form per the Rules of the Legislature. Kindly distribute a copy to Presiding Officer Richard Nicoletto along with our request that this item be placed on the next available legislative agenda.

Kindly provide a time stamped hard copy acknowledgement of your receipt.

Thank you.

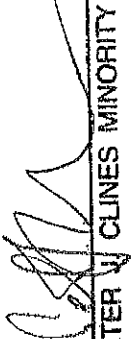
2020 JUL 6 9-570 0107  
PETER J. CLINES  
MINORITY COUNSEL

Introduced by: Minority Leader Kevan Abrahams and Legislator Siela A. Bynoe

**RESOLUTION NO. - 2020**

**A RESOLUTION TO DEVELOP AND ESTABLISH A POLICE COMPLAINT  
HOTLINE AND WEBSITE TO REPORT POLICE MISCONDUCT IN  
NASSAU COUNTY**

APPROVED AS TO FORM



PETER J. CLINES MINORITY COUNSEL

WHEREAS, there have been numerous allegations of excessive use of force and other misconduct by law enforcement personnel throughout the United States, especially in minority communities; and

WHEREAS, it is essential that citizens have a readily accessible and transparent process for filing complaints about alleged misconduct by members of the police force of the County of Nassau in order to protect the rights of citizens, maintain trust between members of the community and the police department and permit the police department to uphold the highest standards of conduct and discipline by police personnel; and

WHEREAS, in order to facilitate transparency and legislative oversight of the processing of complaints of police misconduct, it is preferable to designate an independent entity to receive such complaints; and

WHEREAS, in order to have an effective system of receiving and adjudicating complaints of police misconduct, the procedure for filing such complaints must be well-publicized, user-friendly and simple to navigate for the civilian population; and

WHEREAS, to maintain transparency and effective legislative oversight of police operations, it is also critical that data regarding the frequency, nature and outcome of civilian complaints against Nassau County police personnel be made available on an ongoing basis to the members of the Nassau County Legislature as well as to the public at large; now, therefore, be it

RESOLVED, the Nassau County Executive is hereby authorized, empowered, and directed to establish a dedicated toll-free Police Complaint Hotline for individuals to register complaints concerning the conduct of members of the Nassau County Police Department; and be it further

RESOLVED, that the Police Complaint Hotline shall be staffed and operated by an independent third-party vendor; and be it further

RESOLVED, that the procurement and contractual award to such vendor shall be conducted by the Office of Purchasing and the Chief Procurement Officer in consultation with the Deputy County Executive for Public Safety; and be it further

RESOLVED, that the contract for the operation of the Police Complaint Hotline shall require the vendor to:

1. Operate the toll-free hotline twenty-four hours a day, on a seven day a week basis;
2. Maintain a log of every complaint filed with the Police Complaint Hotline, which log shall include, to the extent available, the name, address and contact information of each complainant; the substance of each complaint; the names and badge numbers of the police personnel involved; a physical description of the police personnel involved; the date, time, day of the week and place of the incident; the vehicle numbers of any relevant police vehicles; a description of physical injuries sustained and treatment received, including the medical facility rendering such treatment; the subject of the alleged police misconduct; and whether the complainant is aware of any audio and/or video recording of the incident complained;
3. Assign a complaint number to each complaint;

4. Employ staff trained in appropriate complaint intake procedures;
5. Have the capacity to receive complaints in all languages including but not limited to English, Spanish, Haitian Creole and Mandarin; and
6. Forward each complaint to the Nassau County Police Commissioner and Deputy County Executive for Public Safety no later than two business days after receipt; and be it further

RESOLVED, that the vendor or the Nassau County Department of Information Technology (“Department of Information Technology”) shall create and maintain a Nassau County Police Complaint website that is fully functional using a web browser on desktop computers, smartphones, and tablet devices to provide an online complaint form with instructions and information available in all languages including but not limited to English, Spanish, Haitian Creole, and Mandarin, and such form shall call for the same information required to be entered into the Police Complaint log described above; and be it further

RESOLVED, that such website shall include the capability of uploading any relevant audio and/or video recordings in conjunction with the digital filing of the complaint; and be it further

RESOLVED, that each complaint submitted to the aforesaid website shall be assigned a complaint number, reviewed by a staff member trained in appropriate complaint intake procedures, and forwarded to the Nassau County Police Commissioner and Deputy County Executive for Public Safety no later than two business days after receipt; and be it further

RESOLVED, that within five business days of receipt of the complaint, the Nassau County Police Commissioner shall cause to be communicated to the complainant the name and contact information of the police personnel assigned to investigate the complaint, in order to facilitate the furnishing of additional pertinent information; and be it further

RESOLVED, that the Nassau County Police Commissioner shall cause the investigator to provide periodic updates to the complainant on the status of the complaint, which updates shall be provided no less frequently than one hundred and twenty-days; and be it further

RESOLVED, that the Nassau County Police Commissioner, or his or her designee, shall provide written communication to the complainant within five days of the resolution of such complaint, describing the nature and outcome of such resolution, including whether disciplinary proceedings have or will be commenced against the police personnel who were the subject of the complaint; thereafter, the Nassau County Police Commissioner or his or her designee will communicate the final outcome of any such disciplinary proceeding in writing to the complainant; and be it further

RESOLVED, that the vendor or the Department of Information Technology shall provide a report to the Nassau County Legislature on a quarterly basis annexing the complaint log mandated pursuant to this resolution; and be it further

RESOLVED, that on a quarterly basis, the Nassau County Police Commissioner shall furnish to the Legislature a report on the status of each complaint received, including whether the case has been resolved, the nature of the resolution, the status of any disciplinary proceedings commenced and the discipline, if any, imposed as a result of such disciplinary proceeding, as well as on the steps taken to publicize the Police Complaint Hotline and website as required by this resolution; and be it further

RESOLVED, that the Police Complaint Hotline operating vendor or the Department of Information Technology shall post on the Nassau County Police Complaint website its report to the Legislature, except that personal identifying information of the parties shall not be posted; and be it further

RESOLVED, that the report of the Nassau County Police Commissioner made pursuant to this resolution shall be posted to the website of the Nassau County Legislature, with personal identifying information of the parties redacted, except that the name of law enforcement personnel shall only be redacted from such report in connection with any case which has not resulted in discipline or where the disciplinary process has not been finally resolved; and be it further

RESOLVED, that all reports filed pursuant to this resolution shall be redacted in accordance with the provisions of Section 89 2-b of the New York State Public Officers Law; and be it further

RESOLVED, that the Nassau County website and the website of the Nassau County Police Department shall prominently display the Police Complaint Hotline telephone number and webpage link and such hotline and webpage shall be further publicized by the Nassau County Police Department through a public information campaign including public service announcements and other appropriate means on an ongoing basis; and be it further

RESOLVED, that the Police Complaint Hotline and website shall be fully functional no later than one hundred and eighty days after adoption of this resolution; and be it further

RESOLVED, it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L., section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R. and section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5(c)(33) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.