



*Office of the New York State  
Attorney General Letitia James*

Law Enforcement Misconduct  
Investigative Office

***First Annual  
Report Pursuant  
to Executive Law  
Section 75***

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December 31, 2021

# Introduction

This is the first annual report of the New York Attorney General's Law Enforcement Misconduct Investigative Office ("LEMIO"), which is a newly established office charged with preventing and remedying misconduct in local law enforcement agencies in New York State.

LEMIO was created pursuant to legislation enacted in June 2020, following state- and nation-wide protests in the aftermath of the killing of George Floyd and other widely publicized abuses of police authority. The legislation went into effect on April 1, 2021.

The statutorily-mandated goals of LEMIO are "enhancing the effectiveness of law enforcement, increasing public safety, protecting civil liberties and civil rights, ensuring compliance with constitutional protections and local, state and federal laws, and increasing the public's confidence in law enforcement."<sup>1</sup>

To achieve these goals, the legislature conferred upon LEMIO broad authority to investigate wrongdoing at more than 500 covered agencies across the state, examine their policies and procedures, publicly report the office's findings, and recommend reforms. These recommendations can include legislation, policy changes, disciplinary action, and other remedial steps.

Importantly, LEMIO is not a substitute for local police accountability processes. Instead, the office seeks to take action where existing procedures are insufficient and to bolster local oversight, increase transparency, and improve policies and operational practices. Among our areas of focus for the coming year will be policing practices that have a disparate impact on people of color and other protected classes (including the use of force and stops and searches), retaliation in connection with First Amendment-protected activity, and inadequate accountability mechanisms.

On an annual basis, LEMIO is required to submit a report "summarizing the activities of the office and recommending specific changes to state law to further [its] mission."<sup>2</sup> To those ends, this report provides an overview of Executive Law § 75, including several new duties that the statute imposes on local law enforcement agencies under LEMIO's jurisdiction. It also describes LEMIO's activities to date, which have focused on establishing processes for reporting allegations of misconduct to LEMIO from the public and from covered agencies, conducting outreach to covered agencies and other stakeholders, building organizational capacity, and initiating investigations into potential patterns or practices of misconduct. Finally, this report sets forth important legislative recommendations that would further the goals of effective and accountable law enforcement, including increasing data collection and reporting, facilitating local civilian oversight, and establishing non-police alternatives for engaging with people in mental health crisis.

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<sup>1</sup> N.Y. Exec. Law § 75(2)(d).

<sup>2</sup> N.Y. Exec. Law § 75(3)(h).

With its wide scope and broad mandate, Executive Law § 75 provides a powerful and necessary vehicle for improving policies and practices and enhancing trust in law enforcement, which are foundational elements of assuring the safety of New Yorkers. Given its coverage of more than 500 local law enforcement agencies and its ambitious statutory goals, realizing the full promise of Executive Law § 75 will require sufficient staffing and resources.

## Summary of Activities

### Overview of LEMIO and Executive Law Section 75

LEMIO has jurisdiction over more than 500 local enforcement agencies (known as “covered agencies”) across New York State, ranging from the 55,000-person New York City Police Department (“NYPD”)—the nation’s largest police force—to county sheriffs to smaller police departments in towns and villages. Every agency that employs police officers as defined in N.Y. Crim. Proc. Law § 1.20 is a covered agency for purposes of Executive Law § 75, with the exception of agencies under the jurisdiction of the Metropolitan Transportation Authority Inspector General, the Port Authority Inspector General, and the State Inspector General.<sup>3</sup>

Executive Law § 75 empowers LEMIO to “receive and investigate complaints from any source, or upon [its] own initiative, concerning allegations of corruption, fraud, use of excessive force, criminal activity, conflicts of interest or abuse in any covered agency,” to review policies and procedures of covered agencies with regard to the prevention and detection of misconduct, and to “investigate patterns, practices, systemic issues, or trends identified by analyzing actions, claims, complaints, and investigations.”<sup>4</sup> In addition to empowering LEMIO to investigate public complaints, the law imposes a duty on personnel of covered agencies to report information concerning certain types of misconduct to LEMIO and requires covered agencies to refer to LEMIO instances in which personnel are subject to five or more complaints over two years.<sup>5</sup> The statute also authorizes LEMIO to determine whether disciplinary action, civil or criminal prosecution, or further investigation by an appropriate federal, state, or local agency is warranted, to prepare and release written reports of investigations, and to recommend remedial action.<sup>6</sup> In conjunction with other units within the Office of the Attorney General (“OAG”), LEMIO may seek structural reforms through civil litigation based on claims involving the violation of federal and state law.<sup>7</sup>

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<sup>3</sup> N.Y. Exec. Law § 75(1).

<sup>4</sup> N.Y. Exec. Law § 75(3)(a),(e) & (g).

<sup>5</sup> N.Y. Exec. Law § 75(3)(a),(e) & (g).

<sup>6</sup> N.Y. Exec. Law § 75(3)(c),(d) & (f).

<sup>7</sup> See *In re: New York City Policing During Summer 2020 Demonstrations*, No. 20-cv-8924, 2021 WL 2894764, at \*6-7 (S.D.N.Y. Jul. 9, 2021); *New York v. Town of Walkkill*, No. 01-cv-0364, 2001 U.S. Dist. LEXIS 13364, at \*9 (S.D.N.Y. Mar. 16, 2001).

LEMIO is required to inform the Division of Criminal Justice Services and the heads of covered agencies of complaints and the progress of its investigations unless special circumstances require confidentiality.<sup>8</sup>

Executive Law § 75 also imposes two new reporting duties on covered agencies and their personnel.

First, subsection (5)(a) requires officers and employees of covered agencies to report to LEMIO “any information concerning corruption, fraud, use of excessive force, criminal activity, conflicts of interest or abuse by another officer or employee relating to his or her office or employment.”

Second, subsection (5)(b) requires covered agencies to refer to LEMIO instances in which an officer or employee has been the subject of “at least five complaints from five or more individuals relating to at least five separate incidents ... within two years.” To facilitate reporting, LEMIO has issued guidance to covered agencies regarding subsection (5)(b) referrals and created an online portal for members of the public and personnel of covered agencies to report misconduct, which can be accessed through the OAG website at <https://ag.ny.gov/bureau/LEMIO>.

### ***Building up the Office and Establishing Mechanisms for Reporting Misconduct***

Executive Law § 75 went into effect in April 2021. Accordingly, one of the LEMIO’s primary focuses has been establishing organizational capacity, developing investigative and other protocols, reaching out to stakeholders such as community groups and law enforcement experts, and engaging with covered agencies and law enforcement associations.

To establish contact with covered agencies, OAG personnel sent letters to the heads of covered agencies and gave presentations on LEMIO and Executive Law § 75 to the Leadership Conference of the New York State Association of Chiefs of Police, the board of the New York State Association of Chiefs of Police, the New York State Sheriffs’ Association Supervisors’ Conference, and convenings held by regional Chiefs’ associations. To ensure that members of the public and employees of covered agencies can file complaints, the OAG has created an online portal for members of the public and personnel of covered agencies to report misconduct, which can be accessed through the OAG website at <https://ag.ny.gov/bureau/LEMIO>, and has issued guidance to covered agencies regarding Section 75(5)(b) referrals. Establishing working relationships with covered agencies, community-based organizations, and other stakeholders will continue to be a top priority in the year ahead.

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<sup>8</sup> N.Y. Exec. Law § 75(3)(b) & (b-1).

## **Investigations**

Working with the OAG's Civil Rights Bureau, LEMIO initiated several investigations into potential misconduct involving covered agencies in 2021. These investigations have focused on potential discriminatory policing, including racially-motivated stops, seizures, and enforcement of low-level violations, and the use of excessive force, including against vulnerable groups such as young people and people in mental health crisis. In addition, retaliation by police against people engaging in First Amendment-protected activity, particularly in connection with racial justice protests, remains an issue of statewide concern to the OAG and is the subject of ongoing investigations.

The OAG has also sued the New York City Police Department (“NYPD”) in federal court seeking to end the department’s pattern of using excessive force and false arrests against New Yorkers during First Amendment-protected protests, including the summer 2020 racial justice protests following the murder of George Floyd in Minneapolis and other high-profile police killings.

From May 2020 through January 2021, OAG attorneys, investigators and other staff reviewed over 1,300 complaints, interviewed witnesses, coordinated a public hearing, and collected evidence from witnesses, the NYPD, and other government agencies. Based on this investigation, the lawsuit alleges that the NYPD used excessive force against protesters in over 150 incidents between May and December of 2020, falsely arrested legal observers and curfew-exempt essential workers, and otherwise violated New Yorkers’ First Amendment rights. The lawsuit also specifically charges the NYPD and its leadership with failing to address its longstanding pattern of abuse by not properly training, supervising, and disciplining officers to prevent misconduct, despite knowledge and public admission that they violated the rights of New Yorkers. This litigation is ongoing.<sup>9</sup>

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<sup>9</sup> See *In re: New York City Policing During Summer 2020 Demonstrations*, No. 20-cv-8924, 2021 WL 2894764, at \*6-7 (S.D.N.Y. Jul. 9, 2021).

# Legislative Recommendations

Executive Law § 75(3)(h) requires LEMIO to “recommend[] specific changes to state law to further [its] mission.” The following legislative recommendations would promote civil rights and civil liberties, enhance public confidence in law enforcement, and improve public safety.

## ***Establish Statewide Data Reporting Procedures to Enhance Transparency***

Transparency is a fundamental principle of democracy and the rule of law. When it comes to highly consequential and contentious issues involving public safety and law enforcement, transparency is especially important so that community members and the state and local governments that represent them are fully and accurately informed.

Yet unfortunately, objective data on the activities and performance of the hundreds of law enforcement agencies in New York State are sparse. To the limited extent that law enforcement agencies do collect and track data, the data are inconsistent across agencies and often difficult for the public and policymakers to access. Improved data collection would not only further democratic governance and public accountability, but also would assist agencies to manage and evaluate their own performance.

New York has recently taken initial steps toward improving law enforcement data collection by passing laws that require police departments to track use of force and the Office of Court Administration to track county-level data regarding misdemeanor and violation charges.<sup>10</sup> While these laws have begun to expand the public understanding of police activity, they do not cover many important indicators.

Building on current reporting requirements, legislation that requires (and facilitates) the collection and publication of data on additional key metrics of law enforcement activity would improve public confidence in policing and help detect and protect against racial and other forms of bias. Such legislation would also provide a more solid basis for decision-making by state and local policymakers, including law enforcement officials, thus enhancing the effectiveness of law enforcement.

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<sup>10</sup> See Police Statistics and Transparency (STAT) Act of 2020, S1830-C/A.10609 (requiring New York State to collect and report demographic data on everyone arrested or charged with a violation or misdemeanor, or who dies in police custody or as a result of an attempt to establish custody); N.Y. § Exec. Law 837-t (requiring law enforcement agency heads to report uses of firearms, chokeholds or similar restraints, chemical agents, impact weapons, electronic control weapons, or other conduct resulting in death or serious bodily injury to the Division of Criminal Justice Services, and requiring the Division to publish an annual comprehensive report on the information received under the statute).

At a basic level, law enforcement agencies should track and publicize a standardized set of data, including data on criminal complaints; traffic and pedestrian stops, searches, citations, and arrests; uses of force; and the disposition of lawsuits alleging misconduct (including settlement amounts and sources of payment). These data sets should include de-identified incident level and aggregate data, including demographic information. The data should be made public in an accessible format with the assistance of a centralized state-level clearinghouse.

Agencies should also be required to make their policies publicly available online, except for policies that, if disclosed, would substantially undermine law enforcement investigations or endanger officers or members of the public, and publish their collective bargaining agreements.

Importantly, given the logistical challenges involved, data collection should be facilitated by the state to ensure that agencies have the capacity to accomplish the mandate.

Statewide data collection and reporting systems have been implemented in states such as New Jersey<sup>11</sup> and California<sup>12</sup> and were recommended for police departments in the 2015 Final Report of the President’s Task Force on 21st Century Policing.<sup>13</sup> Model legislation and best practices from experts at the Policing Project and the Center for Policing Equity, among others, can also serve as guides for New York-specific data legislation.<sup>14</sup>

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<sup>11</sup> New Jersey law requires that the Office of the Attorney General publish aggregate data regarding N.J. State Police motor vehicle stops, including the reason for the stop, the actions the trooper took during and after the stop, the driver’s race, and whether any evidence was seized. This information is available on a database that is updated every 6 months and includes a public feedback mechanism. See N.J.S.A. 52:17B-222 et.seq., “The Law Enforcement Professional Standards Act of 2009”; see also New Jersey Office of the Attorney General, *State Police Traffic Stop Dashboard*, <https://www.njoag.gov/trafficstops>. The N.J. A.G. also promulgated a new Use of Force policy requiring covered law enforcement agencies to report involved officers’ names, the age, race, and gender of the victim of each use of force, whether injuries were sustained, the underlying circumstances of the incident, and the kind of force used, within 24 hours of the incident. See Office of the Attorney General, *Use of Force Policy*, Dec. 2020, <https://www.nj.gov/oag/force/docs/UOF-2020-1221-Use-of-Force-Policy.pdf>.

<sup>12</sup> See Cal. Gov’t Code § 12525 (use of force data), § 12525.2 (deaths in custody and arrest-related deaths), § 12525.5 (stops), Cal. Pen. Code § 13010-13012 and § 13020-13021 (arrests), and Cal. Pen. Code § 13012(a)(5) (civilian complaints against peace officers). All of these data and more, including crimes and clearances and officer staffing, are publicly downloadable and viewable on regularly-updated dashboards at California Department of Justice, “Open Justice Data Portal,” <https://openjustice.doj.ca.gov/data>. See also Cal. Sen. B. 16 (2020-2021), Chapter 402 (Cal. Stat. 2021), making sustained findings of excessive or unreasonable force and of failures to intervene in such force subject to disclosure.

<sup>13</sup> President’s Task Force on 21st Century Policing, Final Report of the President’s Task Force on 21st Century Policing, (2015), [https://cops.usdoj.gov/pdf/taskforce/taskforce\\_finalreport.pdf](https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf). See also N.C. S.L. 2021-138 (establishing a “critical incident” database of uses of force resulting in death or serious bodily injury, a non-public database of officers notified in writing by a judge that they may not be called to testify at trial based on bias, interest, or lack of credibility, and a statewide database of officer disciplinary information and decertification, and requiring participation in the nationwide IADLEST decertification database); Del. H.J. Res. 4, 151st Gen. Assem. (2021) (requiring publication of an annual report on complaints made against officers and the dispositions of those complaints and publication of a list of decertified officers); WA 2021 c 326 (establishing a statewide use of force database).

<sup>14</sup> See, e.g., *Data & Transparency Framework for Policing Agencies*, The Policing Project, <https://www.policingproject.org/transparency-framework>; Mary Pryor, Phillip Atiba Goff et al., *Collecting, Analyzing, and Responding to Stop Data: A Guidebook for Law Enforcement Agencies, Government, and Communities*, Center for Policing Equity (2020), <https://www.policingproject.org/stopdata>.

## Facilitate Civilian Oversight of Law Enforcement

Over the past several decades, many jurisdictions have established external civilian-led entities designed to provide independent oversight of law enforcement agencies.<sup>15</sup> The development of these civilian oversight entities generally has resulted from concerns over weak or biased internal accountability processes and resulting breaches of public trust.

Recently, prompted by increased scrutiny in the wake of high-profile incidents of police misconduct, civilian oversight entities have expanded in number and in the extent of their authority, both in New York State and across the country.<sup>16</sup> For example, voters in Rochester and Albany recently approved referenda creating or expanding civilian oversight of police.<sup>17</sup> In New York City, the Civilian Complaint Review Board has been granted additional powers through referenda and the actions of the City Council.<sup>18</sup> The Council also established an independent inspector general for the NYPD.<sup>19</sup> Other municipalities across the state have also developed or bolstered their own civilian oversight entities, including through the individualized reviews of local law enforcement agencies required by the Executive Order 203 Police Reform and Reinvention Collaborative Plan.<sup>20</sup>

Despite the trend towards local oversight, several longstanding provisions of state law have had the unintended consequence of restricting the development of civilian oversight entities. For example, in certain circumstances, state civil service laws have been held by certain courts to preclude municipal referenda and legislation that establish or empower civilian oversight entities, blocking the democratic preferences of local voters.<sup>21</sup> Another law has been interpreted by courts to prevent non-police personnel from presiding over police disciplinary hearings, unlike disciplinary hearings for other municipal employees.<sup>22</sup>

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<sup>15</sup> See generally, Michael Vitoroulis, Cameron McElhiney, & Liana Perez, *The Evolution and Growth of Civilian Oversight: Key Principles and Practices for Effectiveness and Sustainability*, Office of Community Oriented Policing Services (2021), <https://cops.usdoj.gov/RIC/Publications/cops-w0951-pub.pdf>; Michael Vitoroulis, Cameron McElhiney, & Liana Perez, *Civilian Oversight of Law Enforcement: Report on the State of the Field and Effective Oversight Practices*, Office of Community Oriented Policing Services (2021), <https://cops.usdoj.gov/RIC/Publications/cops-w0952-pub.pdf>.

<sup>16</sup> See, e.g., Cheryl Corley, *Across The Country, Voters Approve More Civilian Oversight for Police*, NPR, Nov. 7 2020, <https://www.npr.org/2020/11/07/931806105/across-the-country-voters-approve-more-civilian-oversight-for-police>; Sharon R. Fairley, *Survey Says?: U.S. Cities Double Down On Civilian Oversight of Police Despite Challenges and Controversy*, *Cardozo L. Rev. De Novo* (2020).

<sup>17</sup> Brian Sharp, *Rochester voters approve Police Accountability Board, setting stage for court battle*, *Dem. and Chron.*, Nov. 5, 2019, <https://www.democratandchronicle.com/story/news/2019/11/05/police-accountability-board-rochester-ny-election-results-passes-referendum-vote/4171703002>; Giuliana Bruno, *Albany Community Police Review Board may soon launch first probe with new powers from 'Prop 7'*, *News 10*, Nov. 23, 2021, <https://www.news10.com/top-stories/albany-community-police-review-board-may-soon-launch-first-probe-with-new-powers-from-prop-7>.

<sup>18</sup> See, e.g., Stephen M. Lepore, *CCRB adopt rules to allow investigations into NYPD sexual misconduct*, *Pix11*, Feb. 10, 2021, <https://pix11.com/news/local-news/ccrb-adopt-rules-to-allow-investigations-into-nypd-sexual-misconduct>; Yoav Gonen, *De Blasio and Council Move to Widen Net for NYPD Misconduct Probes*, *The City*, Nov. 17, 2021, <https://www.thecity.nyc/2021/11/17/22788662/de-blasio-council-widen-net-for-nypd-misconduct-probes>.

<sup>19</sup> City of New York, Local Law No. 70 (2013).

<sup>20</sup> City of Ithaca, *A Resolution Adopting and Authorizing Mayor to Submit the Reimagining Public Safety Plan Pursuant to New York State Executive Order 203*, Mar. 30, 2021, <https://www2.tompkinscountyny.gov/files2/2021-04/Master%20Final%20Document%20City%20of%20Ithaca.pdf>.

<sup>21</sup> See, e.g., *Rochester Police Locust Club, Inc. v. City of Rochester*, 196 A.D.3d 74 (N.Y. App. Div. 2021).

<sup>22</sup> See, e.g., *Lynch v. Giuliani*, 301 A.D.2d 351, 359 (N.Y. App. Div. 2003) (holding that Unconsolidated Law § 891 required disciplinary hearings to be conducted by employees of the NYPD Commissioner, rather than the Office of Administrative Hearings and Trials).

In the coming session, the legislature should seek to address these issues and, more generally, to facilitate civilian oversight by removing restrictions that prevent localities from determining the best way to establish police oversight and accountability mechanisms that serve the particular needs of their communities.<sup>23</sup>

### ***Authorize Civilian Oversight Agencies and the OAG to Access Sealed Records in Connection with Misconduct Investigations***

To fully investigate and address allegations of police misconduct, oversight entities such as civilian review boards and the OAG may require access to sealed arrest records that contain important information about the incidents in question (for example, records relating to prior arrests made by the officer whose actions are under review, or records of arrests made during the incident that is under investigation). Access to these sealed records is particularly important for investigations of systemic misconduct, including patterns of biased or discriminatory policing. Legislation that would facilitate access to these types of sealed records would help protect civil rights, bolster state and local law enforcement accountability, and ensure that allegations of misconduct are fully and completely investigated.

### ***Develop Alternative Public Health Approaches for People in Mental Health Crisis to Minimize the Risks of Police Involvement***

Too often, law enforcement officers have become our society's first line of response to people in mental health crisis. Yet they generally lack the access to resources, training, and public health orientation to provide the effective care and connection to supportive services that are truly needed. Our default reliance on law enforcement to address mental health calls is problematic for everyone involved, including officers themselves.

The consequences of police encounters for people in crisis are frequently disruptive and may be traumatic and even deadly. At a minimum, when a person suffering from a mental health crisis is arrested or incarcerated, their health problems are likely to be worsened.

The scope of the problem is illustrated by the frequency of tragic, and often high-profile, incidents in which people suffering from mental health crisis have been killed in encounters with police in New York and across the country. The risks are confirmed by data. Studies suggest that people with untreated mental illness are sixteen times more likely to die during an interaction with police than other civilians.<sup>24</sup> Several of the OAG's ongoing investigations involve harms to people experiencing mental health crisis.

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<sup>23</sup> Resources on police accountability and oversight include *What Does Police Oversight Look Like?*, Policing Project (2020), <https://www.policingproject.org/oversight>; Udi Ofer, *Getting It Right: Building Effective Civilian Review Boards to Oversee Police*, 46 Seton Hall L. Rev. 1033 (2016), <https://scholarship.shu.edu/shlr/vol46/iss4/2>.

<sup>24</sup> Treatment Advocacy Center, *Overlooked in the Undercounted: The Role of Mental Illness in Fatal Law Enforcement Encounters* (2015), <https://www.treatmentadvocacycenter.org/overlooked-in-the-undercounted>.

A better option would be to develop alternative, non-law enforcement responses to people in crisis that emphasize care and de-escalation and include referral to supportive options. In recent years, jurisdictions across the country have pioneered new models for addressing mental health calls. These approaches offer promise both in terms of reducing the risk of a violent or traumatic encounter and in terms of increasing the likelihood that people in crisis can be connected with long-term support and care. Perhaps best known is the Crisis Assistance Helping Out On The Streets, or CAHOOTS, program in Eugene, Oregon, which sends teams of mental health clinicians to respond to calls involving people in crisis.<sup>25</sup>

The success of these alternative options, combined with the tragic deaths of persons in mental health crisis, have given rise to an increased focus on establishing non-police responses to behavioral health in New York. Many of the community-driven plans developed pursuant to the Executive Order 203 process have called for the creation of such alternative approaches. For example, New York City piloted a new “health-only” response to 911 mental health calls, the “Behavioral Health Emergency Assistance Response Division” (B-HEARD) in select communities in the summer of 2021, with plans to expand citywide.<sup>26</sup> In Rochester, a new “Person In Crisis” team of “emergency response social workers” was tasked with responding to mental health and substance abuse crises.<sup>27</sup> And, perhaps most ambitiously, Ithaca unanimously passed a resolution to develop a corps of unarmed first-responders to be charged with addressing mental health crises, along with a wider variety of calls to be determined by policymakers and members of the public.<sup>28</sup>

To facilitate these new models, the OAG strongly recommends legislation that would help establish mental health units that are specifically trained and equipped to de-escalate mental health crises, including those involving substance abuse. Such legislation could also require training for emergency dispatchers and potentially create regional mental health councils to provide structure and oversight to local responses. Building up non-law enforcement responses to people struggling with mental illness would improve lives, better allocate resources towards helping people in need of mental health assistance rather than funneling them into the criminal legal system, and decrease the risk of harm from police encounters.<sup>29</sup>

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<sup>25</sup> See, e.g., Jackson Beck, Melissa Reuland, & Leah Pope, *Behavioral Health Crisis Alternatives*, Vera Institute of Justice (Nov. 2020), <https://www.vera.org/behavioral-health-crisis-alternatives> (describing several examples of alternative first responder programs, including CAHOOTS); see also Council of State Governments Justice Center, *Taking the Call: Building Comprehensive Crisis Prevention and Response Systems* (2021), <https://takingthecall.csgjusticecenter.org>.

<sup>26</sup> *NYC Police Reform and Reinvention Collaborative Draft Plan*, New York City Mayor’s Office, Mar. 5, 2021, at 25, <https://www1.nyc.gov/assets/home/downloads/pdf/reports/2021/Final-Policing-Report.pdf>; NYC Department of Mental Health, *B-HEARD: First Three Months of Operations*, Oct. 2021, <https://mentalhealth.cityofnewyork.us/wp-content/uploads/2021/10/FIRST-QUARTER-OF-OPERATIONS-FINAL.pdf>.

<sup>27</sup> City of Rochester Department of Recreation and Human Services, *Person in Crisis Team Pilot Plan*, Jan. 4, 2021, <https://www.cityofrochester.gov/uploadedFiles/Departments/Drys/21%20DRHS%20Person%20in%20Crisis%20ERA%20format%20Plan%20FINAL%20020321.pdf>.

<sup>28</sup> City of Ithaca, *Implement Unarmed First Responders in New Department*, Reimagining Public Safety Ithaca & Tompkins County, NY, Dec. 6, 2021, [https://us.qmarkets.cloud/live/tompkins/subdomain/city-implement-unarmed/end/campaign\\_overview?qmzn=XpYRsn](https://us.qmarkets.cloud/live/tompkins/subdomain/city-implement-unarmed/end/campaign_overview?qmzn=XpYRsn).

<sup>29</sup> The OAG’s Office of Special Investigation has identified “Daniel’s Law” as one potential state legislative option for promoting better responses to mental health crisis.

## **Conclusion**

Executive Law § 75 provides an ambitious, first-of-its-kind framework for improving law enforcement practices, increasing accountability, and promoting public trust—all of which are crucial to enhancing the safety of all New Yorkers. Realizing these goals will require close attention to community needs, frequent engagement with law enforcement stakeholders, continued legislative support, and sufficient staffing and resources to fulfill the statute's broad mandate. We look forward to the work ahead.