

FORM 3 (AGENCY REPORT)

(Due on or before July 31, 2022)

Agency:	New York City Police Department (NYPD)		
Agency Privacy Officer:	Katie Flaherty		
Email:	PrivacyOfficer@nypd.org or Katie.Flaherty@nypd.org	Telephone:	646-610-5400
Date of Report:	July 29, 2022		

1. Specify the type of identifying information collected or disclosed (check all that apply):	
<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)* <input checked="" type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<p><u>Work-Related Information</u></p> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<p><u>Biometric Information</u></p> <input checked="" type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs <input checked="" type="checkbox"/> Palm and handprints* <input checked="" type="checkbox"/> Retina and iris patterns* <input checked="" type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences*	<p><u>Government Program Information</u></p> <input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input checked="" type="checkbox"/> Any scheduled court appearances <input checked="" type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input checked="" type="checkbox"/> Motor vehicle information
<p><u>Contact Information</u></p> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<p><u>Law Enforcement Information</u></p> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input checked="" type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input checked="" type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<p><u>Demographic Information</u></p> <input checked="" type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input checked="" type="checkbox"/> Gender identity <input checked="" type="checkbox"/> Languages spoken <input checked="" type="checkbox"/> Marital or partnership status <input checked="" type="checkbox"/> Nationality <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Religion <input checked="" type="checkbox"/> Sexual orientation	<p><u>Technology-Related Information</u></p> <input checked="" type="checkbox"/> Device identifier including media access control MAC address or Internet mobile equipment identity (IMEI)* <input checked="" type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input checked="" type="checkbox"/> Internet protocol (IP) address* <input checked="" type="checkbox"/> Social media account information
<p><u>Other Types of Identifying Information</u> (list below):</p>	
<p>*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).</p>	

2. Explain why the collection and retention of identifying information described in Question 1 furthers the purpose or mission of your agency.

The mission of the New York City Police Department (“NYPD” or “Department”) is to enhance the quality of life in New York City by working in partnership with the community to enforce the law, preserve peace, protect the people, reduce fear, and maintain order. The NYPD strives to foster a safe and fair City by incorporating Neighborhood Policing into all facets of its operations, and solve problems that create crime and disorder through an interdependent relationship between the people and its police, and by pioneering strategic innovation.

The Department is committed to accomplishing its mission of protecting the lives and property of all citizens of New York City by treating every citizen with compassion, courtesy, professionalism, and respect, while efficiently rendering police services and enforcing the laws impartially, by fighting crime both through deterrence and the relentless pursuit of criminals.

The collection and retention of identifying information is essential to the mission of the NYPD. The collection and retention of identifying information assists the NYPD as it patrols our city, responds to calls for service, investigates criminal cases, targets criminal enterprises with long-term investigations, manages millions of moving vehicles, safeguards the subway, oversees and secures large-scale events, responds to natural crises and acts of terror, and implements a wide range of initiatives aimed at making New York City an even safer place to live, work, and visit.

The collection and retention of identifying information furthers Precision Policing investigative methods and the building of strong criminal cases with our law enforcement and prosecutorial partners. This data supports efficient, targeted policing across the city for all residents and visitors. The disclosure of data ensures transparency and accountability. The NYPD also collaborates with various academic, non-profit, and governmental entities in the pursuit of continuous improvement. The collection and retention of identifying information also furthers the Department’s ongoing efforts to connect and help provide excellent service to the communities it serves.

Finally, collecting and retaining the identifying information of applicants, civilian and uniformed employees ensures the recruitment of the best professional talent and continual support for uniformed and civilian members of service throughout their careers and after retirement.

N.Y.C. Admin. Code §23-1205(a)(1)(f)

3. Describe the following types of collections and disclosures: (1) pre-approved as routine, (2) pre-approved as routine by the APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the Agency Guidance on the 2022 Biennial Compliance Process includes examples of routine and non-routine collections and disclosures.

Add additional rows as needed.

Describe the Collection or Disclosure	Classification Type
Disclosure of identifying information to local, state, or federal law enforcement authorities for purposes of law enforcement activities, which may include the investigation, prosecution, or enforcement of a law, regulation, rule, or order to the extent that it is not exempted under Section 23-1202(c)(2)(c) of the Identifying Information Law.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information from closed investigations provided to prosecutorial agencies for the purpose of criminal prosecution.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information of a missing person, where a missing report has been filed, in order to assist in the location of that person.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collection of identifying information in order to assist a person requiring medical aid or assistance because such a person is sick or injured, deceased, lost, mentally ill, a child, an adult requiring care, or an unoused individual. Pursuant to applicable federal, state, and local laws, disclosure of identifying information of person receiving aid to a third party in order to facilitate care.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information where a vehicle involved in an accident to the Department of Transportation in connection with traffic and other studies and initiatives.	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collection and disclosure of identifying information related to motor vehicle collisions, including to individuals where such individual was involved in collision, the New York State Department of Motor Vehicles, and where applicable, Department of Consumer Affairs, Department of Parks, or other relevant licensing agencies.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure and collection of information regarding prisoners in local, state and federal detention facilities for the purpose of facilitating the prison transfer, safe housing of the prisoner, and public safety.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of certain identifying information to certain federal agencies, pursuant to applicable federal, state and local law, including applicable Mayor’s Executive Orders, where the individual has been convicted of a “violent or serious crime” as defined by local law and a valid administrative arrest warrant is provided.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

Disclosure of identifying information in litigation when the NYPD is a party to or has an interest in litigation or other legal proceedings before an adjudicative or administrative body, in accordance with applicable federal, state and local laws.	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure when the NYPD seeks legal counsel and/or advice from the NYC Law Department regarding any legal issue, including, but not limited to, transactional disputes, contract formation and interpretation, regulatory compliance, and/or risk mitigation.	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosures pursuant to court orders in certain class action matters.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information on the Department's public website of administrative trial decisions relating to allegations of officer misconduct, as well as data relating to officer assignments, activity (e.g., arrest history), training summary, and commendations, for the purpose of providing transparency relating to officer performance and accountability in furtherance of community partnership.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information to the Civilian Complaint Review Board ("CCRB") pursuant to CCRB's authority under the Charter, Administrative Code or other applicable provision of law.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information subject to applicable law as part of a law enforcement certification or endorsement for the purpose of evaluating status as a crime victim, witness of a crime and/or assisted in the investigation or prosecution of a crime, and/or for the purpose of making referrals for victim services.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collection and disclosure of identifying information to community members, private entities, and government agencies pursuant to a request for a criminal background check pursuant to applicable federal, state, and local laws.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collection and disclosure of identifying information for the purpose of accepting payment via payment cards for certain constituent services.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information to federal, state, and local oversight agencies in order to comply with such agency's regulations, rules, guidelines, or conditions to funding.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

Disclosure of identifying information provided upon request by city, federal, and/or state agencies for furtherance of licensing, oversight, and/or monitoring schemes.	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information of employees for external training/educational programs.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collection of records from pawnbrokers and certain second-hand dealers pursuant to Local Law 149 of 2013 and Administrative Code Sections 20-267, 20-273, and 20-277.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collection and disclosure of identifying information in the course of performing human resources and other personnel related matters, including, but not limited to, new hire assessment and processing, retiree and benefits processing, payroll processing, equal employment opportunity matters, training, occupational health and safety matters, and professional development.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information of employees may be disclosed, subject to applicable law, to labor organizations when such information is needed by a labor organization to perform its duties as the collective bargaining representative of Department employees in an appropriate bargaining unit.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information as part of a response to an inquiry from a federal, state, or local elected official, subject to applicable law.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information on the Lobbying Disclosure Form disclosed to the Office of the Counsel to the Mayor pursuant to local law.	<input type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collection and disclosure of certain identifying information, such as bidders' and contractors' names and contact information, in order to comply with applicable federal, state, and local procurement rules.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information to contractors, experts, or consultants who have entered into agreements with the NYPD so that such entities may carry out their roles and responsibilities under these agreements.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

Disclosure of identifying information, subject to applicable law, to the media when it does not pose an undue risk to the personal safety of members of the service, media or others; interfere with police operations; or adversely affect the rights of an accused or the investigation or the prosecution of the crime.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information, subject to applicable law, to academic institutions and non-profits to further research on law enforcement and crime prevention by providing statistics, surveys, samples and other types of information in certain circumstances.	<input type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of certain identifying information for records management, archiving, and preservation.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information to appropriate federal, state, and local agencies or personnel to prevent or combat threats to public health and safety.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collection of certain identifying information for purposes of evaluating and improving customer service.	<input type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information to federal, state, or local auditors, subject to applicable law if necessary, in compliance with applicable laws or regulations.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of identifying information in response to Freedom of Information Law (“FOIL”) requests.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
N.Y.C. Admin. Code §23-1205(a)(1)(b)	

4. If applicable, describe the types of collections and disclosures of identifying information involving your agency that have been approved by the Chief Privacy Officer as being in the best interests of the City.

Add additional rows as needed.

Describe Type of Collection or Disclosure

1) Joint Command Center and Dynamic Homelessness Street Conditions Map Project entered into by the NYC Department of Homeless Services, the NYPD, the NYC Emergency Management, and the NYC Mayor’s Office of Operations in order to strategize about targeted deployments of City resources to address street homelessness in New York City and to coordinate outreach to street homeless individuals, informed in part by visualizing street homeless conditions presented on a dynamic map.

N.Y.C. Admin. Code §23-1202(b)(2)(b); 23-1205(a)(1)(b)

5. Describe the agency's current policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.

NOTE: For questions 5 – 11, refer as necessary to the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies (on file with the Office of Information Privacy) and the Identifying Information Rider.

The NYPD's "Department Confidentiality Policy" is listed in Administrative Guide Procedure No: 304-15 and applies to all members of the service, and was last updated on June 10, 2021. The Purpose is "to inform members of the service of guidelines to be complied with when accessing, creating, receiving, disclosing or otherwise maintaining information from an information system." Members of the service are to "(1) access only those information systems to which authorization has been granted, and under circumstances required in the execution of lawful duty; (2) abide by any security terms/conditions associated with the information system, including those governing user passwords, logon procedures, etc.; (3) disclose information to others, including members of the service, only as required in the execution of lawful duty; (4) confirm identity and affiliation of requestor of information and determine that release of information is lawful, prior to disclosure; (5) maintain confidentiality of information accessed, created, received, disclosed and otherwise maintained during course of duty."

In addition to the Department Confidentiality Policy, the NYPD has specific Patrol Guide Procedures and Administrative Guide Procedures pertaining to specific requests for disclosures. These include:

Patrol Guide Procedure No: 211-14 "Investigations by Civilian Complaint Review Board" provides guidance in order to facilitate investigations conducted by the Civilian Complaint Review Board, a New York City Agency. This procedure was last updated on May 23, 2022.

Patrol Guide Procedure No: 211-15 "Processing Subpoenas for Police Department Records and for Testimony by Members of the Service" and Patrol Guide Procedure No: 211-16 "Subpoenas Issued by Courts Outside New York City" provides guidance for when a subpoena is issued by a court and a response by the NYPD is mandated under law. This procedure was last updated on May 23, 2022.

Patrol Guide Procedure No: 211-17 "Processing Legal Bureau Requests for Department Records Including Requests Under the Freedom of Information Law" ensures a response by the Department to lawful subpoenas and requests for Department records made by prosecutors, government agencies and private citizens, including requests made under the Freedom of Information Law. This procedure was last updated on May 23, 2022.

Patrol Guide Procedure No: 211-18 "Processing Requests for Police Department Documents Received from Assistant District Attorneys and Assistance Corporation Counsels" ensures compliance with requests made by assistant district attorneys and assistant corporation counsels for any records or reports compiled by the Department concerning an ongoing or anticipated litigation. This procedure was last updated on May 23, 2022.

Patrol Guide Procedure No: 212-66 "City Policy Concerning Identifying Information and Access to City Services" provides a protocol to ensure that identifying information retained by the NYPD related to immigration status is only disclosed in specific circumstances and that the NYPD does not inquire about the immigration status of crime victims, witnesses, or others who call or approach the police seeking assistance.

Patrol Guide Procedure No: 212-74 "Community Notification Protocol" provides a protocol to inform community leaders and organizations in the event of an incident of an unusual, newsworthy, or sensitive nature that has the potential for community concern and/or unrest.

Patrol Guide Procedure No: 212-76 "Information Concerning Official Business of Department" facilitates the release of information concerning official Department business and directs Members of Service to (1) treat official business of the Department as confidential; (2) understand clearly the right of the public to be informed

on matters of public interest; (3) exercise discretion when divulging authorized information; and (4) provides specific types of information to be divulged to specific City, State, and federal agencies. This procedure was last updated on February 9, 2022.

Patrol Guide Procedure No: 212-77 “Release of Information to New Media” provides specific requirements for the accurate, timely and proper dissemination of information to the public through the news media. This procedure was last updated on November 18, 2021.

Patrol Guide Procedure No: 212-123 “Use of Body-Worn Cameras” details the policy for uniformed members assigned a Body-Worn Camera including when recordings are disclosed. It was last revised on February 16, 2022.

Patrol Guide Procedure No: 212-129 “Facial Recognition Technology” ensures the use of facial recognition technology balances the need for effective, accurate law enforcement investigations, and the need to respect the privacy of citizens. It was last revised on June 10, 2021.

Patrol Guide Procedure No: 212-125 “Crime Victim Assistance Program (CVAP)” provides guidelines to members of the service regarding the Crime Victim Assistance Program, which places trained victim advocates inside Department facilities in order to expeditiously connect crime victims with services. It was last revised on June 24, 2021.

Patrol Guide Procedure No: 217-12 “Notifications – Certain Accident Cases” provides guidelines for notification to concerned agencies where certain types of accidents occur.

Patrol Guide Procedure No: 217-13 “Preparing, Amending, and Releasing Police Accident Reports (MV 104AN) to Involved Parties Appearing in Person at a Police Facility” provides guidelines on providing accident reports involving a motor vehicle collision.

Administrative Guide No: 322-40 “Memoranda of Understanding (MOU)” ensures that any MOU is legally sufficient by requiring approval of Police Commissioner, Deputy Commissioner, Legal Matters, Chief of Department, Chief, Management Analysis & Planning, relevant operational Bureau(s), Deputy Commissioner, Management and Budget (if financial related), and the relevant Command(s).

Administrative Guide No: 322-43 “Processing of Department Research Topics” ensures that proposed research topics for consideration and implementation are reviewed by the Department Research Committee. It was last revised on June 3, 2022.

Administrative Guide No: 322-45 “Guidelines for Conducting Surveys” ensures that official Department surveys are conducted in a reliable manner.

<p>6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>7. If YES, do those policies specify that access to identifying information must be necessary to perform their duties?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>8. Describe whether the policies are implemented in a manner that minimizes access to the greatest extent possible while furthering the purpose or mission of the agency.</p>	<p>The NYPD has policies in place to ensure that its policies regarding disclosure minimize access to the greatest extent possible. Policies applicable to all NYPD employees are:</p>

	<ol style="list-style-type: none"> (1) the “Department Confidentiality Policy,” which is listed in Administrative Guide Procedure No: 304-15 and applies to all members of the service; (2) Patrol Guide Procedure No: 219-14, which provides guidance to employees utilizing Department computer systems to ensure the integrity and security of such systems and to minimize the potential for misuse by unauthorized access to available data; (3) Administrative Guide Procedure No: 325-35, which sets forth the Department’s computer use policy and monitoring notice; (4) Administrative Guide No: 322-40 “Memoranda of Understanding (MOU),” which ensures that appropriate protections are in place where a determination is made to collect and/or disclose identifying information to a third party; and, (5) Individuals, who are not Department employees, seeking access to electronic systems must request access to data through the Department’s Logical System Access Certification Process, which includes a criminal background investigation.
N.Y.C. Admin. Code §§23-1205(a)(1)(c)(1), and (4)	

9. Describe the agency’s current policies for handling proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.
<p>Proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties are referred to the Legal Bureau for review and endorsement. The Agency Privacy Officer reviews the proposal, guided by the Model Protocol for Handling Third Party Requests for Information Held by City Agencies, and, to the extent it is determined that disclosure furthers the mission of the NYPD and/or is required by federal, state, or local law, the Legal Bureau collaborates with the operational stakeholder and the third party to enter into an MOU and/or data sharing agreement. The NYPD’s Information Technology Bureau is also consulted to ensure the secure disclosure of data.</p>
N.Y.C. Admin. Code §23-1205(a)(1)(c)(2)

10. Describe the agency’s current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine. Be as specific as possible.
<p>Designations of classifications of disclosures as necessitated by the existence of exigent circumstances or as routine are made by the Agency Privacy Officer in conjunction with other executives within Legal Bureau and the Commanding Officer of the command disclosing such identifying information.</p>
N.Y.C. Admin. Code §23-1205(a)(1)(c)(3)

11. Describe the agency’s current policies regarding which divisions and categories of employees have been approved by the agency privacy officer to disclose identifying information. Be as specific as possible.

The NYPD’s “Department Confidentiality Policy” is listed in Administrative Guide Procedure No: 304-15 and applies to all members of the service. The Purpose is “to inform members of the service of guidelines to be complied with when accessing, creating, receiving, disclosing or otherwise maintaining information from an information system.” Members of the service are to: “(1) access only those information systems to which authorization has been granted, and under circumstances required in the execution of lawful duty; (2) abide by any security terms/conditions associated with the information system, including those governing user passwords, logon procedures, etc.; (3) disclose information to others, including members of the service, only as required in the execution of lawful duty; (4) confirm identity and affiliation of requestor of information and determine that release of information is lawful, prior to disclosure; (5) maintain confidentiality of information accessed, created, received, disclosed and otherwise maintained during course of duty.”

Patrol Guide Procedure No: 212-76 “Information Concerning Official Business of Department” facilitates the release of information concerning official Department business and directs Members of Service to: (1) treat official business of the Department as confidential; (2) understand clearly the right of the public to be informed on matters of public interest; (3) exercise discretion when divulging authorized information; and, (4) provides specific types of information to be divulged to specific City, State, and federal agencies. It also directs members to forward non-routine requests to the Office of Management Analysis and Planning and/or the Legal Bureau.

For additional information about divisions and categories of employees approved to disclose identifying information, see Section 5 of this Agency Report regarding policies related to requests for disclosures.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(4)

12. Describe whether the agency has considered or implemented, where applicable, any alternative policies since 2020 that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the agency’s purpose or mission.

As detailed in response to Section 5 of this Agency Report, since 2020 a significant number of revisions and/or updates to existing policies and procedures have been enacted, in part to strengthen the Department’s ability to minimize the collection, retention, and disclosure of identifying information.

The Department’s policies and procedures are frequently reviewed and revised to ensure that, subject to applicable law, the NYPD only collects and retains the minimal amount of information necessary to accomplish its mission.

N.Y.C. Admin. Code §23-1205(a)(4)

13. Describe the agency’s use of agreements for any use or disclosure of identifying information.

The NYPD follows the Citywide Privacy Protection Policies and Protocols of the Chief Privacy Officer of the City of New York governing the collection, retention, and disclosure of identifying information, including the guidance on confidentiality agreements, the Identifying Information Rider, and requirements for data sharing agreements.

The NYPD adheres to the New York City Department of Citywide Administrative Services’ policies and practices regarding contractual provisions and non-disclosure agreements related to protecting the privacy and security of identifying information. The NYPD supplements the City Standard Human Services Contract, where applicable, with the “Identifying Information Rider.”

Additionally, policies and procedures, including Administrative Guide No: 322-40 “Memoranda of Understanding (MOU),” are in place to ensure that the disclosure of identifying information occurs within the context of a Memorandum of Understanding (MOU) and/or a Data Sharing Agreement, and that all MOUs and/or Data Sharing Agreements entered into by the NYPD with various other parties, including City agencies, federal agencies, and quasi-governmental entities are legally sufficient and ensure that the use and disclosure of identifying information is in accordance with applicable statutes, regulations, and policies.

N.Y.C. Admin. Code §23-1205(a)(1)(d)

14. Using the table below, describe the types of entities requesting the disclosure of identifying information or proposals for disclosures of identifying information. For each entity, describe (1) why the agency discloses identifying information to the entity, and (2) why any disclosures further the purpose or mission of the agency.

Add additional rows as needed.

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the agency's purpose or mission
Academic Institutions	To further research on law enforcement and crime prevention by providing statistics, surveys, samples and other types of information in certain circumstances.	Disclosure facilitates the collaboration between the NYPD and academic research institutions, which can continue to generate evidence based policing data, encourage new ideas, and develop skills that further the NYPD's mission.
New York City Council	Request for information by City Council.	Disclosure facilitates effective oversight by the City Council and assists the City Council members in their legislative duties by ensuring they have timely and accurate data.
Media	Communication with the community regarding matters of public interest.	Disclosure facilitates the accurate, timely, and proper dissemination of information to the public through the news media.
Members of the Public	Request for information regarding matters of public interest.	Disclosure may facilitate the accurate, timely, and proper dissemination of information to the public regarding matters of individual and/or public importance.
Non-Profit Organizations	To further research on law enforcement and crime prevention by providing statistics, surveys, samples and other types of information in certain circumstances. To provide victim services.	Disclosure facilitates the collaboration between the NYPD and non-profit organizations, which can continue to generate evidence based policing, encourage new ideas, and develop skills that further the NYPD's mission.
Other Law Enforcement Agencies	For the purpose of law enforcement activities, which may include the investigation, prosecution or enforcement of a law, regulation, rule, or order.	Disclosure to other law enforcement agencies, subject to applicable laws, furthers the Department's mission to enforce the law, preserve peace, reduce fear, and maintain order within New York City and in other jurisdictions.
Crime Victims Compensation Board/Crime Victim Assistance Program	Disclosure of information regarding victims of crime for the purpose of facilitating compensation and/or victim services.	Disclosures may be required under law and/or policies and procedures.
Department of Citywide Administrative Services (DCAS)	Disclosure of information regarding the official business of this agency.	Disclosures may be required under law and/or policies and procedures. The disclosures are necessary for the operation of the Department.
New York City Department of Information Technology and Telecommunications (DoITT)	Disclosure of information on collaborative projects to facilitate services to New York City, e.g. the 911 response system.	Disclosure furthers the mission of the Department and ensures continued essential services to New York City.
New York City Employee Retirement System (NYCERS)	Disclosure of information of employees and/or retirees.	Disclosures may be required under law and/or policies and procedures and furthers employment relations.
New York City Law Department	Disclosure of information in furtherance of legal representation and litigation.	Disclosures may be required under law and/or policies and procedures.

New York City Mayor's Office	Requests for information to facilitate constituent services, to facilitate Department business, e.g., travel requests, and/or to ensure the continual operations of the Department.	Disclosures may be required under law and/or policies and procedures. The disclosures are necessary for the operation of the Department.
New York City Office of Payroll Administration (NYC OPA)	Disclosure of employee information.	Disclosures may be required under law and/or policies and procedures to ensure the continued operation of the Agency.
Other City Agencies	In order to facilitate the mission or purpose of the requesting City Agency.	Disclosure to other City agencies, subject to applicable laws, furthers both the Department's mission to enforce the law, preserve peace, reduce fear, and maintain order within New York City and the mission of the requesting City Agency.
Oversight Agencies	Request for information regarding investigations and/or reviews by agencies with oversight jurisdiction over the NYPD. This includes, but is not limited to, the Commission to Combat Police Corruption (CCPC), Department of Investigation (DOI), the Office of the Inspector General for the NYPD (IG-NYPD), and/or the Civilian Complaint Review Board (CCRB).	Appropriate disclosure facilitates effective oversight by outside agencies.
State Liquor Authority	Disclosure of information regarding persons or premises seeking licenses by the State Liquor Authority.	Disclosures may be required under law and/or policies and procedures.
Union Representatives	Disclosure of information pursuant to certain proceedings.	Disclosures may be required under law and/or policies and procedures.
United States Civil Service Commission	Disclosure of information regarding an applicant for a federal position.	Disclosures may be required under law and/or policies and procedures. The disclosures further the mission of the Department and the third-party agency.
N.Y.C. Admin. Code §23-1205(a)(1)(e)		

- Proceed to Next Question on Following Page-

15. Describe the impact of the Identifying Information Law and other local, state, or federal laws upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if such practices would differ in the absence of these laws).

Pursuant to the Identifying Information Law, the NYPD appointed an Agency Privacy Officer in May 2018. The Agency Privacy Officer, in conjunction with other members of the NYPD's Legal Bureau and individual command liaisons, inventoried the Department's collection, retention, and disclosure of identifying information and reviewed existing policies and procedures regarding the collection, retention, and disclosure of identifying information. The Agency Privacy Officer has designated certain collections and disclosures as routine and/or approved disclosures on a case-by-case basis since the Identifying Information Law went into effect on July 1, 2018. The Agency Privacy Officer also informed all departmental privacy liaisons that future proposals for the collection, retention, and disclosures of identifying information must be reviewed by the Agency Privacy Officer.

Additional review of Department policies and procedures were undertaken based on the issuance of the Citywide Privacy Protection Policies and Protocols by the Chief Privacy Officer on January 28, 2019, and subsequent guidance from the Chief Privacy Officer. Further review was conducted after the Citywide Privacy Protection Policies and Protocols by the Chief Privacy Officer were updated on February 24, 2021. As detailed in response to Section 5 of this Agency Report, a significant number of revisions and/or updates to existing policies and procedures have been enacted, in part to strengthen the Department's ability to minimize the collection, retention, and disclosure of identifying information.

In 2020 and again in 2022, the Agency Privacy Officer conducted an additional review of the Department's collection, retention, and disclosure of identifying information and of Department policies and procedures in preparation for the 2020 and 2022 Agency Reports.

N.Y.C. Admin. Code §23-1205(a)(2)

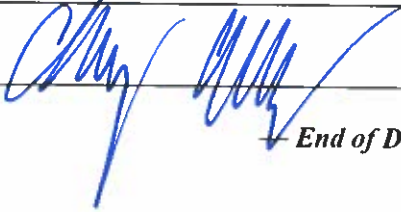
16. Describe the impact of the privacy policies and protocols issued by the Chief Privacy Officer, or by the Citywide Privacy Protection Committee, as applicable, upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if they have affected such practices).

Reviews of Department policies and procedures were undertaken based on the issuance of the Citywide Privacy Protection Policies and Protocols by the Chief Privacy Officer on January 28, 2019, and subsequent guidance from the Chief Privacy Officer. Additional reviews were conducted when the Citywide Privacy Protection Policies and Protocols by the Chief Privacy Officer were updated on February 24, 2021, to ensure that Department policies and procedures are in compliance with issued guidance.

N.Y.C. Admin. Code §23-1205(a)(3)

APPROVAL SIGNATURE FOR AGENCY REPORT

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