

BIENNIAL AGENCY REPORT

INSTRUCTIONS

The Identifying Information Law requires City agencies to submit comprehensive biennial agency reports related to their collection, retention, and disclosure of identifying information and their privacy protection practices.

To complete the 2024 biennial agency report:

- Review Form 2s ([APO Designation of Collection and Disclosures as “Routine”](#)) made since the 2022 compliance cycle;
- Review Form 5s ([Agency Privacy Officer Approval of Collections and Disclosures on a “Non-Routine” Basis](#)) made since the 2022 compliance cycle;
- Use Forms 2 & 5 to complete [Worksheet 1](#) for all new and existing **collections** between 2022-2024;
- Use Forms 2 & 5 to complete [Worksheet 2](#) for all new and existing **disclosures** between 2022-2024.
- Complete the Biennial Agency Workbook;
- Submit the biennial agency report by **July 31, 2024**.

Submit the biennial agency report to:

- Mayor at MOReports@cityhall.nyc.gov
- City Council Speaker at reports@council.nyc.gov
- Chief Privacy Officer and the Citywide Privacy Protection Committee at ojp@oti.nyc.gov
- Department of Records and Information Services (DORIS) online submission portal at <https://a860-gpp.nyc.gov>

THIS REPORT IS PUBLIC. PREPARERS SHOULD CONSULT AGENCY COUNSEL OR THE CHIEF PRIVACY OFFICER TO ENSURE THE RESPONSES ARE PROVIDED ACCORDING TO APPLICABLE LAW AND CITY POLICY.

VERSION CONTROL

Version	Description of Change	Approver	Date
4.0	New design for ease of use and technological enhancements, and miscellaneous clarifying revisions.	Michael Fitzpatrick Chief Privacy Officer, City of New York	April 2024
3.0	Updated completion date; miscellaneous clarifying revisions.	Aaron Friedman Principal Senior Counsel Office of Information Privacy	April 2022
2.0	Updated completion date; miscellaneous clarifying revisions.	Laura Negrón Chief Privacy Officer, City of New York	April 2020
1.0	First Version	Laura Negrón Chief Privacy Officer, City of New York	April 2018

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**BIENNIAL AGENCY REPORT
(Due on or before July 31, 2024)**

1. Agency: Commission on Human Rights

2. APO Contact Details
 - a. Name: Anne Meredith
 - b. Title: General Counsel
 - c. Email: ameredith1@cchr.nyc.gov
 - d. Telephone: 212-416-0291

COLLECTIONS

3. How many collections does the agency have to describe?
17

4. **COLLECTIONS.** Upload worksheet 1.



- Proceed to the next page -

5. For all **collections**, select the types of identifying information collected (check all that apply). See [Citywide Privacy Protection Policies and Protocols § 3.1](#).

<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)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<u>Biometric Information</u> <input type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs <input type="checkbox"/> Palm and handprints* <input type="checkbox"/> Retina and iris patterns* <input type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences* <input type="checkbox"/> Height <input type="checkbox"/> Weight	<u>Government Program Information</u> <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
<u>Contact Information</u> <input checked="" type="checkbox"/> Current and/or previous home address <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<u>Law Enforcement Information</u> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input type="checkbox"/> Date and/or time of release from custody of ACS, DOCS, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<u>Demographic Information</u> <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	<u>Technology-Related Information</u> <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
<u>Status information</u> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input checked="" type="checkbox"/> Status as a victim of domestic violence or sexual assault <input checked="" type="checkbox"/> Status as crime victim or witness	
<u>Other Types of Identifying Information</u> (list below): 	
<p>*Type of identifying information designated by the CPO (see CPO Policies & Protocols, §3.1.1).</p>	

DISCLOSURES

6. How many disclosures does the agency have to describe?

5

7. **DISCLOSURES.** Upload worksheet 2.



- Proceed to the next page -

8. For all **disclosures**, select the types of identifying information disclosed (check all that apply).
 See [Citywide Privacy Protection Policies and Protocols § 3.1](#).

<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)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
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9. Separate from the Citywide Privacy Protection Policies and Protocols, what are the agency's policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties? Please **summarize or upload a copy of the policy**. See *N.Y.C. Admin. Code § 23-1205(a)(1)(c)(1)*.



10. Which divisions of employees within the agency make disclosures of identifying information following the approval of the privacy officer? See *§ N.Y.C Admin. Code § 23-1205(a)(1)(c)(4)*.

11. Which categories of employees within the agency make disclosures of identifying information following the approval of the privacy officer? See *§ N.Y.C Admin. Code § 23-1205(a)(1)(c)(4)*.

12. Do any of the agency's policies address **access** to identifying information by employees, contractors, and subcontractors? See *§ N.Y.C. Admin Code § 23-1205(a)(4)*.

- Yes – **GO TO QUESTION 13**
- No – **GO TO QUESTION 16**

13. Do these policies state that **access** to identifying information must be necessary for the employees, contractors, and subcontractors to perform their duties? See *N.Y.C. Admin Code § 23-1205(a)(4)*.

- Yes – **GO TO QUESTION 14**
- No – **GO TO QUESTION 16**

14. Are these policies implemented so that **access** is limited to the greatest extent possible, but also furthers the purpose or mission of the agency?

- Yes – **GO TO QUESTION 15**
- No – **GO TO QUESTION 16**

15. Describe how **access** is limited to the greatest extent possible while furthering the purpose or mission of the agency.

16. **Summarize or upload** the agency's current policies for handling **proposals for disclosures to other** City agencies, local public authorities, or local public benefit corporations, and third parties. See *N.Y.C Admin Code § 23-1205(a)(1)(c)(2)*.



17. **Summarize or upload** the agency's current policies regarding the classification of **disclosures** as necessitated by the existence of **exigent circumstances or as routine**. See *N.Y.C Admin Code § 23-1205(a)(1)(c)(3)*.



18. Since 2022, has the agency **considered or implemented**, where applicable, policies that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the purpose or mission of the agency? See *N.Y.C Admin Code § 23-1205(a)(3)*.

Yes – **GO TO QUESTION 19**

No – **GO TO QUESTION 20**

19. Summarize the policies that the agency has **considered or implemented** regarding data minimization for the collection, retention, and disclosure of identifying information. See *N.Y.C Admin Code § 23-1205(a)(4)*.

20. Summarize the agency's use of agreements for any use or disclosure of identifying information. *See N.Y.C Admin Code § 23-1205 (a)(1)(d).*
21. Since 2022, describe the impact of the Identifying Information Law and any other local, state, or federal laws upon your agency's practices in relation to the collection, retention, and disclosure of identifying information (i.e., if such practices would differ in the absence of these laws). The impact can be positive or negative. *See N.Y.C Admin Code § 23-1205(a)(2).*
22. Describe how the current privacy policies and protocols issued by the Chief Privacy Officer, or the guidance issued by the Citywide Privacy Protection Committee affected your agency's practices in relation to the collection, retention, and disclosure of identifying information. The effects can be positive or negative. *See N.Y.C Admin Code § 23-1205(a)(2).*

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APPROVAL SIGNATURE FOR AGENCY REPORT

PREPARER OF AGENCY REPORT

Name: George D. Adames

Title: Deputy General Counsel

Email: GAdames@cchr.nyc.gov

Phone: 6466272947

ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Name:

Title:

Email: GAdames@cchr.nyc.gov

Phone:

Signature:

Date:

Describe the following types of collections. *Note, you may have multiple collections of the same type.*

COLLECTIONS				
	<i>Type of Collection</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Collection.</i>
1	Finance	Administration – Finance/Budgeting	Pre-approved as routine	Identifying information related to Commission and City employees, interns, contractors, and vendors. Such collection and disclosure is necessary for the Commission to ensure that its operations are fiscally sound and that funds are appropriately allocated.
2	Human Resources and other Personnel Matters	Administration – Human Resources	Pre-approved as routine	Identifying information related to Commission and City prospective and active employees, interns, applicants, contractors, and vendors. Such collection and disclosure is necessary for the Commission to manage its personnel and others with whom it does business.
3	Technology	Administration – Technical Services	Pre-approved as routine	Identifying information related to Commission and City employees, contractors, vendors, Commission constituents, and members of the public. Such collection and disclosure supports the work of every function within the Commission and provides platforms through which the Commission can interface with the public.
4	Procurement	Administration – Contracting/Procurement	Pre-approved as routine	Identifying information related to Commission and City employees, bidders, contractors, and vendors. Such collection and disclosure allow the Commission to ensure that its core services are adequately provisioned and supplied, and to work with external partners when necessary.
5	Law Enforcement	Core Services – Enforcement	Pre-approved as routine	Identifying information related to Commission and City employees, complainants, respondents, and witnesses/third parties in matters before the Commission; and identifying information related to members of the public related to or arising from allegations of discrimination. Such collection and disclosure furthers the Commission’s statutory mission to enforce the City Human Rights Law.

6	Client or Customer Service	Core Services - Outreach/Education/Public Engagement/Hearings/Testimony/Conferences	Pre-approved as routine	Identifying information related to Commission and City employees, and those who attend and participate in the Commission’s outreach activities or who access the Commission’s Community Service Centers. Such collection and disclosure furthers the Commission’s statutory mission to educate the public about the City Human Rights Law.
7	Strategic Initiatives	Core Services - Policy/Planning/Legislation/Inter-and Intra-Government	Pre-approved as routine	Identifying information related to City and Commission employees, City government offices and officials, lobbyists and advocates, members of the public, and participants in Commission programs. Such collection and disclosure furthers the Commission’s mission to advocate for and effect policy changes to combat discrimination and to raise awareness the City Human Rights Law.
8	Research	Core Services - Reporting/Research/Special Projects	Pre-approved as routine	Identifying information related to City and Commission employees, and participants in Commission surveys, special projects, and research. Such collection and disclosure furthers the Commission’s mission by allowing the Commission to accurately report on and understand the experiences of New Yorkers vis-a-vis discrimination.
9	Social Services	External Relations – Constituent Communications	Choose an item.	Identifying information related to Commission and City employees, and individuals and entities that participate or partner in Commission programs, including other organizations and agencies. This collection and disclosure allows the Commission to widely disseminate information and its efforts to fight discrimination and enforce the City Human Rights Law.
10	Strategic Initiatives	External Relations – Public Campaigns	Pre-approved as routine	Identifying information related to Commission and City employees, participants in Commission programs, City businesses, other City agencies, community-based organizations, and other institutional partners. Such collection and disclosure furthers the Commission’s mission to educate the public about the City Human Rights Law.
11	Strategic Initiatives	External Relations – Inter- and Intra-Governmental Relations	Pre-approved as routine	Identifying information related to Commission and City employees, participants in Commission programs, lobbyists and advocates lobbyists and advocates and members of City,

				State, and federal government agencies. Some of this collection and disclosure is necessary to fulfill the Commission’s reporting obligations, while some of it facilitates the Commission’s efforts to collaborate with other governmental bodies to fight discrimination.
12	Strategic Initiatives	External Relations – Press Relations	Pre-approved as routine	Identifying information relating to members of the press, participants in Commission programs, and City and Commission employees. Such collection and disclosure support the Commission’s mission to educate the public about the City Human Rights Law.
13	Compliance	Legal – Regulatory Compliance	Pre-approved as routine	Identifying information related to Commission and City employees, individuals providing and receiving Commission services/programs as required by the entity to whom the report is due. Such collection and disclosure helps ensure that the Commission and its activities are in compliance with all relevant City, State, and federal laws, rules, and regulations.
14	Legal Matters or Proceeding	Legal – Contracting	Pre-approved as routine	Identifying information related to Commission and City employees, bidders, contractors, and vendors. Such collection and disclosure allows the Commission to work with external partners when necessary.
15	Legal Matters or Proceeding	Legal – Freedom of Information Law	Pre-approved as routine	Identifying information relating to Commission and City employees, requestors and reflected in existing Commission records. Such collection and disclosure allows the Commission to fulfill with its legally mandated obligations under FOIL.
16	Human Resources and other Personnel Matters	Legal – Litigation/Investigations	Pre-approved as routine	Identifying information related to litigations in Commission matters and to individuals under internal investigation, including Commission and City employees. Such collection and disclosure furthers the Commission’s ability to direct and manage litigation either involving the Commission as a party or in which the Commission has an interest. In the investigative context, such collection and disclosure allows the Commission to ensure that all applicable laws, rules, and regulations are being followed by Commission staff.

17	Human Resources and other Personnel Matters	Legal – Legal Counsel/Advice	Pre-approved as routine	Identifying information related to Commission and City employees requesting, receiving, and/or providing legal advice regarding the Commission’s programs and services. Such collection and disclosure allows the Commission to ensure that its conduct and that of its employees complies with all relevant laws, rules, and regulations.
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Describe the following types of disclosures. *Note, you may have multiple disclosures of the same type.*

DISCLOSURES					
	<i>Type of Disclosure</i>	<i>Describe the Specific Activity</i>	<i>Classification</i>	<i>Describe the agency purpose or mission served by this Disclosure.</i>	<i>Was this disclosure made pursuant to an external request?</i>
1	Legal Matters or Proceeding	Adjudicative bodies, such as civil courts and administrative law judges, litigants, and parties to the Commission’s enforcement actions may request or require the disclosure of identifying information. The Commission complies with such requests and/or orders, as required by applicable law, regulation, or rule.	Pre-approved as routine	Such disclosures further the Commission’s ability to enforce the City Human Rights Law.	Yes
2	Legal Matters or Proceeding	Other governmental agencies, members of all branches of government at the City, state, and federal levels, sibling agencies, and members of the legislative branch may request identifying information (i) pursuant to mandated or authorized reporting and compliance requirements, (ii) to gain information on behalf of their constituencies and their experiences with discrimination, or (iii) as part of litigation or investigations.	Pre-approved as routine	These disclosures further the Commission’s mission to educate as to the scope of discriminatory conduct occurring in New York City. These disclosures may also be necessary to effectuate the personnel, contractual, budgetary, reporting and other administrative functions of the Commission.	Yes
3	Response to a Request or Demand	Members of the public may seek the disclosure of identifying information (i) to gain more information about the Commission’s work, campaigns, and cases; or (ii) as part of Freedom of Information Law requests.	Pre-approved as routine	Such disclosures further the Commission's mission to educate the public about the City Human Rights Law and the Commission’s work.	Yes
4	Response to a Request or Demand	Members of the Press, Advocates & Lobbyists may request identifying information in response to cases,	Pre-approved as routine	These disclosures foster further promulgation of the Commission's work, in	Yes

		campaigns, or enforcement matters highlighted in the Commission's external relations efforts. Participants in Commission campaigns execute releases authorizing the Commission to disclose some of their information as specified.		service of the Commission's mission to educate the public about the City Human Rights Law and its protections.	
5	Procurement	Mutual exchange of identifying information necessary to the contract bidding process (e.g. tax ID numbers, business address, M/WBE status) is required to effectuate contracts.	Pre-approved as routine	These disclosures are necessary for the Commission to carry out its contracting and procurement functions.	Yes

OPTIONAL QUESTION: Using the table below, describe any proposals for disclosures of identifying information that your agency declined to approve.

	<i>Type of Entity that Requested the Identifying Information</i>	<i>Name of the Entity</i>	<i>Reason for the Request</i>	<i>Description of Agency's Rationale for Rejection</i>
1	Choose an item.	[free text]	[free text]	[free text]
2	Choose an item.			
3	Choose an item.			
4	Choose an item.			
5	Choose an item.			
6	Choose an item.			
7	Choose an item.			
8	Choose an item.			
9	Choose an item.			
10	Choose an item.			
11	Choose an item.			
12	Choose an item.			
13	Choose an item.			
14	Choose an item.			
15	Choose an item.			
16	Choose an item.			
17	Choose an item.			
18	Choose an item.			
19	Choose an item.			
20	Choose an item.			
21	Choose an item.			
22	Choose an item.			
23	Choose an item.			
24	Choose an item.			
25	Choose an item.			

Notifications for Compliance with Local Privacy Laws

Adames, George (CCHR) <GAdames@cchr.nyc.gov>

Mon 6/24/2024 10:54 AM

To: + CCHR Staff <CCHRStaff@cchr.nyc.gov>

Good morning all,

All Commission staff must report any suspected and actual unauthorized collection, disclosure, use of or access to identifying or personal information. The information covered by this policy is not exhaustive and it is broadly defined: because of this, *in all cases of doubt* as to whether a piece of information is covered or not, please contact me, as I am the Agency Privacy Officer.

Identifying information is any information obtained by or on behalf of the city that may be used on its own or with other information to identify or locate an individual. While the definition is not exhaustive, the following types of information are identifying information

- Name
- Date of Birth
- Contact Information
- Gender identity
- Race
- Marital or partnership status
- Sexual orientation
- Citizenship or immigration status
- Nationality / country of origin
- Languages spoken
- Religion
- Employment information
- Motor vehicle information or license plate number
- Photographs
- Social media accounts
- Status as a victim or witness
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- Any scheduled court appearances
- Information obtained from any surveillance system
- Any scheduled appointments with any employee, contractor or subcontractor
- Social security number (including last 4 numbers)
- Device identifiers including IP and (MAC) addresses or IMEI numbers
- GPS locations
- All information obtained from an individual's income tax records
- Credit card numbers or other financial services account information or codes like savings and checking accounts, brokerage accounts, debit cards, card PINs, ATM machine numbers or codes

You are required to report any actual or suspected situation where identifying information is collected or disclosed in a manner that has not been authorized by the Agency Privacy Officer. You are also required to report the unauthorized *collection* of identifying information such as collecting identifying information without prior routine or case-by-case approval of the APO (unless it was in case of exigent circumstances). The APO reviews the Commission's collection, retention, and disclosure of identifying information periodically, as required by local law. Thus, the Commission requires that any changes or additions to existing practices *must* be reviewed by the APO prior to such change or addition in order to comply with local law and adjust, if needed, existing protocols or procedures.

All Commission staff are required to notify the Agency Privacy Officer as soon as practicable if they suspect or become aware of a violation of the CCHR Privacy Protection Policies. This notification must comply with the following information and can be submitted by email. This notification must be made only to the Agency Privacy Officer, and no one else, in order to ensure that the Commission can adequately investigate while mitigating or preventing any potential harm to any individuals whose identifying information may be at issue.

Notification must include details including the date of the incident, a description of the types of identifying information at issue, and information relating to the scope of the unauthorized disclosure or collection such as the number of individuals who may be affected or whether there is ongoing unauthorized access or disclosure, for example. Notification of disclosure should not include any language describing the matter in a way that draws legal conclusions about the suspected incident. Thus, avoid using legal conclusion like "breach" and instead stick to a factual description of the incident. When in doubt, contact the General Counsel.

After receiving a report, the APO will promptly investigate the incident, follow relevant local laws, if appropriate take action to mitigate any ongoing risks of continued exposure of identifying information and to help facilitate the further response to the matter. The APO will inform the individual who initially submitted the complaint that an investigation was performed.

Thank you, and please let me know if you have any questions or concerns,

George D. Adames | Interim General Counsel
 New York City Commission on Human Rights
 22 Reade Street, 2nd Floor | New York, NY 10007
 T: (212) 416-0227 | M: (646) 627-2947
 he / him / his

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 New York City Commission on Human Rights
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 T: (212) 416-0227 | M: (646) 627-2947
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- Credit card numbers or other financial services account information or codes like savings and checking accounts, brokerage accounts, debit cards, card PINs, ATM machine numbers or codes

You are required to report any actual or suspected situation where identifying information is collected or disclosed in a manner that has not been authorized by the Agency Privacy Officer. You are also required to report the unauthorized *collection* of identifying information such as collecting identifying information without prior routine or case-by-case approval of the APO (unless it was in case of exigent circumstances). The APO reviews the Commission's collection, retention, and disclosure of identifying information periodically, as required by local law. Thus, the Commission requires that any changes or additions to existing practices *must* be reviewed by the APO prior to such change or addition in order to comply with local law and adjust, if needed, existing protocols or procedures.

All Commission staff are required to notify the Agency Privacy Officer as soon as practicable if they suspect or become aware of a violation of the CCHR Privacy Protection Policies. This notification must comply with the following information and can be submitted by email. This notification must be made only to the Agency Privacy Officer, and no one else, in order to ensure that the Commission can adequately investigate while mitigating or preventing any potential harm to any individuals whose identifying information may be at issue.

Notification must include details including the date of the incident, a description of the types of identifying information at issue, and information relating to the scope of the unauthorized disclosure or collection such as the number of individuals who may be affected or whether there is ongoing unauthorized access or disclosure, for example. Notification of disclosure should not include any language describing the matter in a way that draws legal conclusions about the suspected incident. Thus, avoid using legal conclusion like "breach" and instead stick to a factual description of the incident. When in doubt, contact the General Counsel.

After receiving a report, the APO will promptly investigate the incident, follow relevant local laws, if appropriate take action to mitigate any ongoing risks of continued exposure of identifying information and to help facilitate the further response to the matter. The APO will inform the individual who initially submitted the complaint that an investigation was performed.

Thank you, and please let me know if you have any questions or concerns,

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