



OFFICE OF THE DISTRICT ATTORNEY
RICHMOND COUNTY
MICHAEL E. McMAHON
DISTRICT ATTORNEY

March 14, 2024

Mr. Malcolm M. Butehorn
Assistant Deputy Director - Compliance Unit
New York City Council
City Hall
New York, New York 10007

Re: Local Law 161 of 2021

Dear Mr. Butehorn:

I write to state the position of my office relating to Local Law 161 of 2021. As a former Member of the City Council, I have nothing but the utmost respect for the council's role and responsibilities in the functioning of our city. However, it remains my view that this law improperly encroaches upon our reporting obligations mandated by the County Law and the Executive Law, and that the City Charter does not empower the Council or the Mayor to demand the information described in this bill.

Despite these objections, over the last twelve-plus months my office has engaged in lengthy discussions with our fellow New York City District Attorneys' offices ("Offices") and the Mayor's Office of Criminal Justice (MOCJ) to develop a cohesive, mutually agreeable method to transmit information to the Council relating to our work. Ultimately, we hoped to provide data from our work on Staten Island to MOCJ, who in turn would provide the Council information from all five Offices. It is our understanding that conversations between MOCJ and the Council have been ongoing and that MOCJ has informed the Council that said reporting timeline extension has been agreed to so that the Offices can continue working towards developing more comparable data across the city. It is our goal to continue to engage in that process.

As I have stated since the introduction of this bill in 2019, I appreciate the goals of this legislation. Fortunately, the vast majority of the data the Council seeks from our Offices is already collected by and provided to or readily available to the Council from the New York City Police

Department (NYPD), the New York State Division of Criminal Justice Services (DCJS), and the Office of Court Administration (OCA). We are not opposed to providing information not already available to the Council, but are not prepared to do so at this time. It is our understanding that the individual Offices may choose to release data or reach out to the Council on their own accord. Further, this letter does not seek to modify or supersede any objections to the law that any individual Office may have registered with City Council.

We deeply appreciate our strong working relationship with the Council, and look forward to working together on the pressing public safety concerns of our city now and in the future.

Sincerely,



Michael E. McMahon

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