

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: Law Department

2. APO Contact Details
 - a. Name: Kathryn Conway
 - b. Title: Agency Privacy Officer
 - c. Email: Kaconway@law.nyc.gov
 - d. Telephone: 212-356-2383

COLLECTIONS

3. How many collections does the agency have to describe?
14

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 type="checkbox"/> Name <input type="checkbox"/> Social security number (full or last 4 digits)* <input type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<u>Work-Related Information</u> <input type="checkbox"/> Employer information <input type="checkbox"/> Employment address
<u>Biometric Information</u> <input type="checkbox"/> Fingerprints <input 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 type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input type="checkbox"/> Any scheduled court appearances <input type="checkbox"/> Eligibility for or receipt of public assistance or City services <input type="checkbox"/> Income tax information <input type="checkbox"/> Motor vehicle information
<u>Contact Information</u> <input type="checkbox"/> Current and/or previous home address <input type="checkbox"/> Email address <input type="checkbox"/> Phone number	<u>Law Enforcement Information</u> <input 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 type="checkbox"/> Country of origin <input type="checkbox"/> Date of birth* <input type="checkbox"/> Gender identity <input type="checkbox"/> Languages spoken <input type="checkbox"/> Marital or partnership status <input type="checkbox"/> Nationality <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Sexual orientation	<u>Technology-Related Information</u> <input type="checkbox"/> Device identifier including media access control (MAC) address or Internet mobile equipment identity (IMEI)* <input type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input type="checkbox"/> Internet protocol (IP) address* <input type="checkbox"/> Social media account information
<u>Status information</u> <input type="checkbox"/> Citizenship or immigration status <input type="checkbox"/> Employment status <input type="checkbox"/> Status as a victim of domestic violence or sexual assault <input 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?

14

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



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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 type="checkbox"/> Name <input type="checkbox"/> Social security number (full or last 4 digits)* <input type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<u>Work-Related Information</u> <input type="checkbox"/> Employer information <input type="checkbox"/> Employment address
<u>Biometric Information</u> <input type="checkbox"/> Fingerprints <input 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 type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input type="checkbox"/> Any scheduled court appearances <input type="checkbox"/> Eligibility for or receipt of public assistance or City services <input type="checkbox"/> Income tax information <input type="checkbox"/> Motor vehicle information
<u>Contact Information</u> <input type="checkbox"/> Current and/or previous home address <input type="checkbox"/> Email address <input type="checkbox"/> Phone number	<u>Law Enforcement Information</u> <input 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 type="checkbox"/> Country of origin <input type="checkbox"/> Date of birth* <input type="checkbox"/> Gender identity <input type="checkbox"/> Languages spoken <input type="checkbox"/> Marital or partnership status <input type="checkbox"/> Nationality <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Sexual orientation	<u>Technology-Related Information</u> <input type="checkbox"/> Device identifier including media access control (MAC) address or Internet mobile equipment identity (IMEI)* <input type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input type="checkbox"/> Internet protocol (IP) address* <input type="checkbox"/> Social media account information
<u>Status information</u> <input type="checkbox"/> Citizenship or immigration status <input type="checkbox"/> Employment status <input type="checkbox"/> Status as a victim of domestic violence or sexual assault <input 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>	

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: Kathryn Conway
Title: Agency Privacy Officer
Email: ksprovieri@gmail.com
Phone: 9082562182

ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Name: Eric Eichenholtz
Title: Managing Attorney
Email: eeichenh@law.nyc.gov
Phone: 212-356-2200

Signature: 
Eric Eichenholtz (Jul 25, 2024 11:35 EDT)

Date: 07/25/2024

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

DISCLOSURES					
	Type of Disclosure	Describe the Specific Activity	Classification	Describe the agency purpose or mission served by this Disclosure.	Was this disclosure made pursuant to an external request?
1	Office Administration	Operations	Pre-approved as routine	Law Department Operations (including our mail room, processing center, courier service, help desk, IT, facilities management, etc.) discloses various information and records for the purpose of supporting the agency in its mission of representing and carrying out the legal business of the City of New York.	Yes
2	Office Administration	Employee Services and Management	Pre-approved as routine	The Law Department's Employees Services and Management function (including human resources, recruiting, professional development, EEO, the Department Advocate, etc.) discloses various personnel-related information and records in the performance of core administrative and human resource functions.	Yes
3	Office Administration	Internal and External Audits, Investigations	Pre-approved as routine	The Law Department's Internal and External Audit function discloses various	Yes

				information and records for the purpose of ensuring the integrity of internal operations, complying with federal/state/local law, and responding to subpoenas, inquiries from oversight agencies, grant compliance requests, etc.	
4	Office Administration	Newsletter	Pre-approved as routine	The Law Department's Newsletter function discloses various current and former employee-related information to provide news and updates to agency employees and alumni.	No
5	Procurement	Contract and Transactional Work	Pre-approved as routine	The Law Department's contract and transactional work function (including oversight of City contracting and Law Department procurements) discloses various information and records for the purpose of furthering the legal business of the City of New York.	Yes
6	Legal Matters or Proceeding	Counseling	Pre-approved as routine	The Law Department's counseling function discloses various information and records for the purpose of advising and	Yes

				counseling City clients, agents and assigns.	
7	Legal Matters or Proceeding	Risk Management	Pre-approved as routine	The Law Department's Risk Management function discloses various information and records for the purpose of identifying and mitigating risks to decrease the potential for harm to the City's residents and visitors while protecting the City financially.	Yes
8	Legal Matters or Proceeding	Ethics and Compliance	Pre-approved as routine	The Law Department's Ethics and Compliance function discloses various information and records for the purpose of counseling and training agency employees, elected officials, and the employees of all City agencies on legal ethics, representation, privilege, and sanctions matters.	Yes
9	Legal Matters or Proceeding	Family Court: Juvenile Delinquency Prosecutions	Pre-approved as routine	The Law Department's Juvenile Delinquency Prosecution function discloses various information and records for the purpose of investigating and presenting juvenile delinquency cases to the Family Court in the five boroughs of New York City.	Yes

10	Legal Matters or Proceeding	Family Court: Support Cases	Pre-approved as routine	The Law Department's Support Cases function discloses various information and records for the purpose of litigating or handling international and inter-state child support cases, including incoming and outgoing cases, pursuant to an MOU with the Human Resources Administration and in support of the national child support program.	Yes
11	Legal Matters or Proceeding	Litigation	Pre-approved as routine	The Law Department's Litigation function (including pre-litigation investigations, and affirmative and defensive representation) discloses various information and records for the purpose of carrying out the legal business of the City of New York by representing the City, its employees, agents, and assigns.	Yes
12	Legal Matters or Proceeding	Tax & Bankruptcy	Pre-approved as routine	The Law Department's tax and bankruptcy function (including closings and title bureau) discloses information and records for the purpose of carrying out the legal business of the City of New York by enabling	Yes

				notice, ownership, and encumbrance determinations to be made.	
13	Response to a Request or Demand	Press Statements, Correspondence	Pre-approved as routine	The Law Department’s Press function (including responses to inquiries and correspondence, as well as affirmative releases) discloses various information and records for the purpose of furthering the legal business of the City of New York and promoting the efforts of the Law Department.	Yes
14	Response to a Request or Demand	Freedom of Information Law Practice	Pre-approved as routine	The Law Department’s FOIL function (including requests and responses) discloses various information and records for the purpose of complying with New York State’s FOIL, and includes use of the NYC Open Records Portal.	Yes

For each **disclosure**, select the type of entity **and** provide the name of the entity that received the identifying information.

	Type of Entity	Name of Entity
1	Educational Institution	Office Administration, Operations: entities to which disclosure is made by this activity are: employers, medical providers,

		federal/state/local/international government agencies, vendors, contractors, and educational institutions.
2	Healthcare Organization	Office Administration, Employee Services and Management: entities to which disclosure is made by this activity are: employers, medical providers, federal/state/local/international government agencies, vendors, contractors, and educational institutions.
3	City Agency	Office Administration, Internal and External Audits, Investigations: entities to which disclosure is made by this activity are: federal/state/local government agencies and courts.
4	City Agency	Office Administration, Newsletter: entities to which disclosure is made by this activity are: agency alumni.
5	Other Private Sector Company	Procurement, Contract and Transactional Work: entities to which disclosure is made by this activity are: vendors, contractors, private corporations, federal/state/local government agencies, and courts.
6	City Agency	Legal Matters or Proceeding, Counseling: entities to which disclosure is made by this activity are: federal/state/local government agencies, private corporations, administrative tribunals, and courts.
7	City Agency	Legal Matters or Proceeding, Risk Management: entities to which disclosure is made by this activity are: federal/state/local government agencies, private corporations, administrative tribunals, and courts.
8	City Agency	Legal Matters or Proceeding, Ethics and Compliance: entities to which disclosure is made by this activity are: federal/state/local government agencies, private corporations, administrative tribunals, and courts.
9	State Agency	Legal Matters or Proceeding, Family Court: Juvenile Delinquency Prosecutions: entities to which disclosure is made by this activity are: federal/state/local government agencies, litigants, witnesses,

		custodial and non-custodial parents, administrative tribunals, and courts.
10	State Agency	Legal Matters or Proceeding, Family Court: Support Cases: entities to which disclosure is made by this activity are: federal/state/local/international government agencies, litigants, witnesses, custodial and non-custodial parents, administrative tribunals, and courts.
11	State Agency	Legal Matters or Proceeding, Litigation: entities to which disclosure is made by this activity are: federal/state/local government agencies, litigants, witnesses, experts, employers, private companies, vendors, mediators, administrative tribunals, and courts.
12	State Agency	Legal Matters or Proceeding, Tax & Bankruptcy: entities to which disclosure is made by this activity are: federal/state/local government agencies, property owners, and title companies.
13	Media Outlet	Response to a Request or Demand, Press Statements, Correspondence: entities to which disclosure is made by this activity are: citizens, federal/state/local government agencies, press, and educational institutions.
14	Media Outlet	Response to a Request or Demand, FOIL Practice: entities to which disclosure is made by this activity are: citizens, federal/state/local government agencies, press, and educational institutions.

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

COLLECTIONS				
	Type of Collection	Describe the Specific Activity	Classification	Describe the agency purpose or mission served by this Collection.
1	Office Administration	Operations	Pre-approved as routine	Law Department Operations (including our mail room, processing center, courier service, help desk, IT, facilities management, etc.) collects various information and records for the purpose of supporting the agency in its mission of representing and carrying out the legal business of the City of New York.
2	Office Administration	Employee Services and Management	Pre-approved as routine	The Law Department’s Employees Services and Management function (including human resources, recruiting, professional development, EEO, the Department Advocate, etc.) collects various personnel-related information and records in the performance of core administrative and human resource functions.
3	Office Administration	Internal and External Audits, Investigations	Pre-approved as routine	The Law Department’s Internal and External Audit function collects various information and records for the purpose of ensuring the integrity of internal operations, complying with federal/state/local law, and responding to subpoenas, inquiries

				from oversight agencies, grant compliance requests, etc.
4	Office Administration	Newsletter	Pre-approved as routine	The Law Department's Newsletter function collects various current and former employee-related information and court records to provide news and updates to agency employees and alumni.
5	Procurement	Contract and Transactional Work	Pre-approved as routine	The Law Department's contract and transactional work function (including oversight of City contracting and Law Department procurements) collects various information and records for the purpose of furthering the legal business of the City of New York.
6	Legal Matters or Proceeding	Counseling	Pre-approved as routine	The Law Department's counseling function collects various information and records for the purpose of advising and counseling City clients, agents and assigns.
7	Legal Matters or Proceeding	Risk Management	Pre-approved as routine	The Law Department's Risk Management function collects various information and records for the purpose of identifying and mitigating risks to decrease the potential for harm to the City's residents and visitors while protecting the City financially.
8	Legal Matters or Proceeding	Ethics and Compliance	Pre-approved as routine	The Law Department's Ethics and Compliance function collects various

				information and records for the purpose of counseling and training agency employees, elected officials, and the employees of all City agencies on legal ethics, representation, privilege, and sanctions matters.
9	Legal Matters or Proceeding	Family Court: Juvenile Delinquency Prosecutions	Pre-approved as routine	The Law Department's Juvenile Delinquency Prosecution function collects various information and records for the purpose of investigating and presenting juvenile delinquency cases to the Family Court in the five boroughs of New York City.
10	Legal Matters or Proceeding	Family Court: Support Cases	Pre-approved as routine	The Law Department's Support Cases function collects various information and records for the purpose of litigating or handling international and inter-state child support cases, including incoming and outgoing cases, pursuant to an MOU with the Human Resources Administration and in support of the national child support program.
11	Legal Matters or Proceeding	Litigation	Pre-approved as routine	The Law Department's Litigation function (including pre-litigation investigations, and affirmative and defensive representation) collects various information and records for the purpose of carrying out the legal business of the City of New York by

				representing the City, its employees, agents, and assigns.
12	Legal Matters or Proceeding	Tax & Bankruptcy	Pre-approved as routine	The Law Department's tax and bankruptcy function collects information and records for the purpose of carrying out the legal business of the legal business of the City of New York by enabling notice, ownership, and encumbrance determinations to be made.
13	Response to a Request or Demand	Press Statements, Correspondence	Pre-approved as routine	The Law Department's Press function (including responses to inquiries and correspondence, as well as affirmative releases) collects various information and records for the purpose of furthering the legal business of the City of New York and promoting the efforts of the Law Department.
14	Response to a Request or Demand	Freedom of Information Law Practice	Pre-approved as routine	The Law Department's FOIL function (including requests and responses) collects various information and records for the purpose of complying with New York State's FOIL, and includes use of the NYC Open Records Portal.