

# AGENCY REPORT

(due on or before July 31, 2020)

<b>Agency:</b>	NYC Commission to Combat Police Corruption		
<b>Agency Privacy Officer:</b>	Uyen Tang		
<b>Email:</b>	<a href="mailto:utang@ccpc.nyc.gov">utang@ccpc.nyc.gov</a>	<b>Telephone:</b>	(212) 806-5377
<b>Date of Report:</b>	July 1, 2020		

## 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)*	<b><u>Work-Related Information</u></b> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<b><u>Biometric Information</u></b> <input type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs	<b><u>Government Program Information</u></b> <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
<b><u>Contact Information</u></b> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<b><u>Law Enforcement Information</u></b> <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
<b><u>Demographic Information</u></b> <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	<b><u>Technology-Related Information</u></b> <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
<b><u>Status Information</u></b> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input checked="" type="checkbox"/> Status as victim of domestic violence or sexual assault <input checked="" type="checkbox"/> Status as crime victim or witness	
<b><u>Other Types of Identifying Information</u></b> (list below): Tax Identification Number, NYSID Number, Place of Birth, NYPD shield number and Employee Identification Number	
<small>*Type of identifying information designated by the CPO (see CPO Policies &amp; Protocols § 3.1.1).</small>	

## 2. Specify the reasons why collection and retention of identifying information specified above furthers the purpose or mission of your agency.

As an independent civilian anti-corruption police oversight agency, we monitor all aspects of the New York City Police Department's (NYPD) policies and procedures that relate to corruption control. As a result, we collect and retain various documents from the NYPD that contain identifying information. These documents are reviewed and analyzed in order for us to make recommendations and findings regarding the NYPD's anti-corruption systems. We also collect and retain complaints made directly to us regarding NYPD corruption and misconduct that contain identifying information.

As part of the normal course of our agency's business, we collect and retain Freedom of Information Law (FOIL) requests, personnel records, emails and outlook calendars, online newspaper and journal articles related to cases of NYPD corruption and misconduct, professional development and compliance documents, all of which contain identifying information.



3. Describe the types of collections and disclosures classified as: (1) pre-approved as “routine,” (2) pre-approved as routine by APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the 2020 Agency Guidance includes detailed examples of routine and non-routine collections and disclosures, with descriptions.

Add additional rows as needed.

Describe the Collection or Disclosure	Classification Type
Documents from the NYPD are collected and analyzed in order for our agency to make recommendations and findings about the NYPD’s anti-corruption systems in our reports. Names, biographies and employment information of our Commissioners as well as names of staff members are collected and disclosed to acknowledge those who have contributed to our reports. In addition, identifying information may be disclosed pursuant to the Freedom of Information Law (FOIL) requests fulfilled after the repeal of Civil Rights Law 50-a.	<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
Complaints made directly to our agency regarding NYPD corruption and misconduct are collected and disclosed to the appropriate investigating agency, as our agency does not conduct investigations.	<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
Personnel records are collected and disclosed to the human resources division of the Department of Investigation (DOI), as they are responsible for our administrative/human resources function. Employee information and Commissioner pedigree information are disclosed to the NYPD in the ordinary course of business to obtain NYPD identification cards in furtherance of our agency’s mission to monitor and evaluate NYPD’s anti-corruption programs. Employees’ names, photographs and name of employer are disclosed to our building management office to obtain building access identification cards.	<input checked="" 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
Freedom of Information Law (FOIL) requests are collected as part of the ordinary course of our agency’s business. Identifying information may be disclosed in order to seek advice regarding a FOIL request, as part of information released in response to a FOIL request, as part of the decision on the appeal of a FOIL request, provided the disclosure is permissible under applicable law. FOIL requests and other legal requests related to disclosure of NYPD data are disclosed to the NYPD pursuant to a Memorandum of Understanding, so long as the notification is permitted by 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
Emails, outlook calendars, online newspaper and journal articles related to NYPD corruption and misconduct, as well as professional development and compliance documents are collected as part of the normal course of our agency’s business. Online newspaper and journal articles may be disclosed in response to FOIL requests. Identifying information is disclosed in order for staff members to attend continuing legal education (CLE) courses, oversight training conferences, webinars and to ensure compliance with applicable 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
N.Y.C. Admin. Code §23-1205(a)(1)(b)	

4. If applicable, specify the types of collections and disclosures that have been approved by the Chief Privacy Officer as being “in the best interests of the City” which involve any collections and disclosures of identifying information relating to your agency.



<b>Add additional rows as needed.</b>
<b>Describe Type of Collection or Disclosure</b>
N.Y.C. Admin. Code §23-1202(b)(2)(b); 23-1205(a)(1)(b)

<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.</b>	
In determining whether the disclosure will be made, we look to see if the information is public or confidential.	
<u>Public Information</u>	
<ul style="list-style-type: none"> <li>If the disclosure request is for public information and there is no law or agreement that prohibits the disclosure, it is disclosed. At the same time, if there is a law or agreement that prohibits its disclosure, it is not disclosed.</li> </ul>	
<u>Confidential Information</u>	
<ul style="list-style-type: none"> <li>If the disclosure request is for confidential information and there is a law or agreement that requires its disclosure, it is disclosed accordingly. At the same time, if there is a law or agreement that prohibits its disclosure, it is not disclosed.</li> <li>If the disclosure request is for confidential information where the disclosure is not governed by any law or agreement, we will determine on a case-by-case basis, if the disclosure is appropriate and the scope of the disclosure.</li> <li>If there is another entity that has ownership interest in the requested confidential information, that entity is given notice of the disclosure request and will provide their own separate response in addition to our independent determination.</li> </ul>	
Access and disclosure of our agency's personnel information is limited to our Executive Director and Office Manager. Access and disclosure of other identifying information made by our staff attorneys is limited to the purpose of furthering our agency's mission of monitoring anti-corruption activities of the Police Department. Our agency does not have contracts with any contractors or subcontractors.	
<b>6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>7. If YES, do such policies specify that access to such information must be necessary for the performance of their duties?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>8. Describe whether the policies are implemented in a manner that minimizes such access to the greatest extent possible while furthering the purpose or mission of the agency.</b>	Our policy restricts access to identifying information to the greatest extent by allowing only the necessary parties access to such information in performance of the normal course of agency business or for the sole purpose of furthering our agency's mission.
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.**

- If the disclosure is routine, or falls within the exceptions of applicable local laws, and there is no law that prohibits the disclosure, it is disclosed.
- If the disclosure is not routine or does not fall within the exceptions of applicable local laws, but there is a law or agreement that requires its disclosure, it is disclosed accordingly.
- If the disclosure is not routine, or does not fall within the exceptions of applicable local laws, and there is no law or agreement that prohibits or requires its disclosure, we will determine on a case-by-case basis, if the disclosure is appropriate and the scope of the disclosure.
- If the disclosure is not routine, or does not fall within the exceptions of applicable local laws, or there is a law that prohibits the disclosure, it is not disclosed.

In all cases of disclosure, where possible, we will attempt to satisfy disclosure requests containing identifying information without disclosing any personal identifying information or minimizing the disclosure of any personal identifying information.

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.**

Disclosures necessitated by the existence of exigent circumstances will occur only when the disclosure is urgently necessary and there are no alternative means for information to be disclosed. If disclosures are made under exigent circumstances, we will promptly notify the necessary parties and outline the reason exigent circumstances exist.

Disclosures classified as routine include those that are: (1) made during the ordinary course of our agency's business and furthers the mission or purpose of our agency; or (2) required by law or agreement; or (3) in the furtherance of the purpose or mission of our agency.

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 within an agency make disclosures of identifying information following the approval of the privacy officer.**

Disclosure of personnel information is limited to our Executive Director and Office Manager. Disclosure of other identifying information by our staff is limited to the performance of their duties including forwarding complaints to the appropriate investigating agency, responding to FOIL requests, participating in professional development courses and compliance with applicable laws.

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 that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the purpose or mission of such agency.**

Our policy regarding the collection, retention, and disclosure of identifying information is limited in scope to circumstances related to the normal course of our agency's business and/or in furtherance of our agency's mission. In circumstances where disclosures containing identifying information are made, where possible, we will attempt to comply with the request without disclosing any personal identifying information or minimizing the disclosure of any personal identifying information.

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.**

Our agency discloses personnel information to the human resources division of the Department of Investigation as they are responsible for our administrative/human resources functions. Our agency discloses FOIL requests and other legal requests for the disclosure of NYPD data to the NYPD, so long as the notification is permitted by law.

N.Y.C. Admin. Code §23-1205(a)(1)(d)



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

**Add additional rows as needed.**

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the purpose or mission of the agency
Human Resources Division of the Department of Investigation (DOI) and Building Management Office	We disclose personnel and other related employee information to the human resources division of the Department of Investigation (DOI) as they are responsible for our agency's administrative and human resources functions.  We also disclose employee names, photographs and employer information to our agency's building management office to obtain building access identification cards.	These disclosures allow us to operate with staff members who fulfill our agency's mission of monitoring all aspects of the New York City Police Department's (NYPD) policies and procedures that relate to corruption control.
Civilian Complaint Review Board (CCRB)	We disclose complaints made directly to our agency regarding allegations of force, abuse of authority, discourtesy or offensive language (FADO) by the NYPD to the Civilian Complaint Review Board (CCRB).	Complaint allegations of force, abuse of authority, discourtesy or offensive language (FADO) by the NYPD are disclosed to ensure those allegations are investigated.
New York City Police Department (NYPD)	We disclose personnel information to the New York City Police Department (NYPD) to obtain NYPD identification cards. Complaints made directly to our agency regarding allegations of NYPD misconduct and corruption are disclosed to the Internal Affairs Bureau (IAB) of the NYPD. Freedom of Information Law (FOIL) requests and other legal requests received by our agency for disclosure of NYPD data are disclosed to the NYPD pursuant to a Memorandum of Understanding, so long as the notification is permitted by law.	Personnel information is disclosed to allow our staff members to obtain NYPD identification cards to attend meetings and observe department trials related to NYPD misconduct and corruption. Complaints regarding allegations of NYPD misconduct and corruption are disclosed to ensure those allegations are investigated. FOIL requests and other legal requests for NYPD data are disclosed to allow our agency access to NYPD documents in order to make findings and recommendations about the NYPD's anti-corruption systems in our reports.
Freedom of Information Law (FOIL) requests, New York City Law Department and the New York State Committee on Open Government	We disclose identifying information as part of a response to a FOIL request, to seek guidance from the New York City Law Department regarding a FOIL request, or to the New York State Committee on Open Government as part of the decision on the appeal of a FOIL request, provided the disclosure is permissible under applicable law.	Our agency complies with permissible disclosures under the Freedom of Information Law (FOIL) and the Public Officers Law.

#### Identifying Information Law

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Professional Development Courses	We disclose identifying information to participate in continuing legal education (CLE) courses, oversight training conferences and webinars.	These disclosures allow our staff members to stay informed on updates in the law and learn new methods to fulfill our agency's mission of monitoring all aspects of the New York City Police Department's (NYPD) policies and procedures that relate to corruption control.
Compliance	We disclose identifying information in our financial disclosures to the Conflict of Interest Board and in our reports to the Chief Privacy Officer.	Our agency complies with required disclosures under the Conflict of Interest and Identifying Information Laws.

N.Y.C. Admin. Code §23-1205(a)(1)(e)

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**15. Describe the impact of the Identifying Information Law and other applicable laws upon your agency's practices in relation to collection, retention, and disclosure of identifying information.**

The Identifying Information Law has not adversely impacted our agency's practices in relation to the collection, retention or disclosure of identifying information. Prior to the implementation of the Identifying Information law, we followed a similar policy. We only collected and retained personal information in furtherance of our agency's mission and disclosed personal information if it occurred during the normal course of our agency's business or when applicable laws allowed the disclosure.

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 the collection, retention, and disclosure of identifying information.**

Not applicable, there has not been any impact of the privacy policies or protocols issued by the Chief Privacy Officer or the Citywide Privacy Protection Committee upon our agency's practices in relation to the collection, retention, and disclosure of identifying information.

N.Y.C. Admin. Code §23-1205(a)(3)

**APPROVAL FOR AGENCY REPORT**

**Preparer of Agency Report:**

<b>Name:</b>	Uyen Tang		
<b>Title:</b>	Examining Attorney		
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**SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW**

**Agency Head (or designee):**

<b>Name:</b>	Marnie Blit		
<b>Title:</b>	Executive Director		
<b>Email:</b>	<a href="mailto:mblit@ccpc.nyc.gov">mblit@ccpc.nyc.gov</a>	<b>Phone:</b>	212-806-5371
<b>Signature:</b>	Marnie Blit	<b>Date:</b>	7/7/2020

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