

# **New York Coalition for Open Government**

**Thursday June 11, 2020, 6:30 PM**

**Via Zoom**

**Email [paulwolf2@gmail.com](mailto:paulwolf2@gmail.com) for the meeting link**

**Public Comments Are Welcome At Any Time During Our Meetings. Don't Be Shy To Ask A Question Or To Make A Point!**

## **AGENDA**

- 1) Open Meeting
- 2) Meeting Minutes from May 14, 2020
- 3) Treasurer's Report
- 4) Niagara County Lawsuit
- 5) Report: Local Governments Mute the Public During Remote Meetings"
- 6) Next Report Focusing on Smaller Local Governments
- 7) Civil Rights Law 50-a
- 8) Becoming a 501(c)(3)
- 9) New Business
- 10) Next Meeting July 9, 2020 at 6:30 pm

## **Minutes for Buffalo Niagara Coalition for Open Government May 14, 2020**

Meeting held via Zoom called to order at 6:35 p.m. Present: Paul Wolf, Sonia Dusza, Maria Tisby, Ed McKee, Janet Vito, Larry Vito, Richard Bertrand, Steve Lyle and Susan Kelly.

**Meeting Minutes:** The meeting minutes from April 9, 2020, were unanimously approved on a motion made by Sonia and seconded by Maria.

**Treasurer's Report:** Janet Vito provided a written report to Paul Wolf showing our account balance as \$1,164.92. Larry made a motion to accept the report which was seconded by Richard and unanimously approved.

**Niagara County Lawsuit:** Paul Wolf stated that the Courts are currently closed and as such our lawsuit against Niagara County is on hold until things open back up. The attorney handling the lawsuit will be requesting a written response from Niagara County. As no response has been received yet.

**Understanding the Open Meetings Law & the Need For Reform:** Due to the COVID-19 crisis our Sunshine Week event for March had to be cancelled. On April 28<sup>th</sup> we did the event on Zoom. 50 fifty registered and 38 actually attended. There were a lot of questions from the participants which consisted of elected officials, reporters and members of the public.

**Report: Local Governments Mute the Public During Remote Meetings:** On May 12<sup>th</sup> we released our first statewide report. We reviewed 21 local governments from across the state. The key finding was that 67% eliminated hearing from the public during their April meetings. This is further proof of the need to amend the Open Meetings Law to mandate that the public be heard during meetings. 13 states have a law mandating that the public be heard at their meetings. A copy of the report was emailed to every state legislator and to most of the elected officials of the governments that were reviewed. The report was covered by Newsday, Watertown Daily Times, Utica Observer, Malone Telegram, Hudson News, Lockport Union Sun.

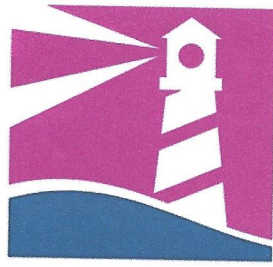
**New Business:** Steve Lyle talked about Lewiston doing remote meetings, which has negated the need for him to video record meetings as he has done for some time now. Steve is working on a letter to the editor.

Paul Wolf suggested that our next report focus on smaller local governments as our last report focused on bigger communities.

**Adjourn:** Ed made motion to adjourn seconded by Maria, meeting adjourned at 7:24 pm

Next meeting will be June 11<sup>th</sup>, 6:30 pm probably via Zoom

# New York Coalition



## For Open Government, Inc.

*Advocating for timely access to information & meaningful citizen participation*

[www.nyopengov.org](http://www.nyopengov.org)

June 7, 2020

New York State Legislators

*Via email only*

Re: In Support Of Repealing New York, Civil Rights Law 50-a (S3695/A2513)

Dear Legislators:

The New York Coalition For Open Government supports repealing New York Civil Rights Law (CRL) 50-a, to allow for the public disclosure of police records relating to police misconduct. Transparency is critical for improving public trust in our police departments and for bringing about greater accountability in addressing the performance of police services.

New York's Freedom of Information Law states the following:

*The legislature hereby finds that a free society is maintained when government is responsive and responsible to the public, and when the public is aware of governmental actions. The more open a government is with its citizenry, the greater the understanding and participation of the public in government.*

*As state and local government services increase and public problems become more sophisticated and complex and therefore harder to solve, and with the resultant increase in revenues and expenditures, it is incumbent upon the state and its localities to extend public accountability wherever and whenever feasible.*

Section 50-a of the state's Civil Rights Law makes personnel records for law enforcement confidential. That includes internal affairs files, civilian complaints and disciplinary findings. Delaware is the only other state in the country that also has a law comparable to CRL 50-a, that restricts the scope of law enforcement information available to the public.

The New York State Committee on Open Government stated the following in their 2014 Annual Report, "[t]he Freedom of Information Law (FOIL) today affords the public far less access to information about the activities of police departments than virtually any other public agency— even though police interact with the public on a day-to-day basis in a more visceral and tangible way than any other public employees."

The death of Eric Garner in 2014, brought to light how CRL 50-a shields police officers from public accountability. While being arrested for a minor offense Mr. Garner, an African American man was placed in a chokehold by a New York City police officer. Mr. Garner died after repeatedly shouting, "I can't breathe." Efforts by Mr. Garner's family to obtain disciplinary records through FOIL requests were denied under CRL 50-a.

The recent death of George Floyd, an African American man killed by a Minneapolis police officer, in circumstances similar to Eric Garner's death, has brought about protests across the United States calling for an end to police brutality and demanding increased transparency and accountability for law enforcement. In Minnesota, unlike New York, police disciplinary records are accessible to the public and through this transparency; the public was able to learn that the officer responsible for Mr. Floyd's death was the subject of eighteen police conduct complaints.

We urge you to bring greater transparency and accountability to police services by supporting the repeal of Civil Rights Law 50-a.

Sincerely,

Paul W. Wolf, Esq.

President

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