



# Labor & Employment Issues Client Alert

Pitta LLP  
For Clients  
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**“We believe in the ideas of family, mutuality,  
the sharing of benefits and burdens  
for the good of all, feeling one another’s pain,  
sharing one another’s blessing  
recognizing that at the heart of the matter  
we are bound to each other.”  
-Mario M. Cuomo-**

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## **NYS LEGISLATURE VOTES TO REPEAL SECTION 50-a OF CIVIL RIGHTS LAW – GOVERNOR EXPECTED TO SIGN IT INTO LAW**

On June 9, 2020 the New York State Legislature passed legislation that repeals New York State Civil Rights Law §50-a which was adopted in 1976. The law provided protection of the disciplinary records of police officers, correction officers, members of the fire department, and other law enforcement officials.

Proposals to repeal section 50-a have been around for the past several years but have been opposed by law enforcement unions that believe that section 50-a properly balances the safety and privacy interests of law enforcement officers with the public’s interest in transparency. Advocates for the repeal law argued that a repeal will increase transparency and accountability for law enforcement officials.

Pursuant to the legislation, disciplinary records will not automatically become available but instead will be subject to a request under the state’s Freedom of Information law (FOIL). The [legislation](#) specifically amends section 89 of the Public Officers Law by exempting from disclosure certain personal information such as social security numbers, medical histories, home addresses, personal telephone numbers, personal cell phone numbers, and personal email addresses. A memorandum of opposition from [law enforcement unions](#) and a [video](#) from NYS Association of PBA’s President Michael O’Meara opposing the repeal were released.

Since the tragic death of George Floyd in Minneapolis, Minnesota and the national protests that it sparked, the movement to repeal section 50-a surged throughout the state and received the support of Governor Andrew Cuomo who called for the legislature to pass repeal legislation. The Senate approved the repeal legislation 40-22 while the Assembly passed the legislation 101-43. The legislature passed other legislation seeking to reform policing which included a ban on chokeholds and legislation that will require New York state troopers to have body-worn cameras while on patrol. Governor Cuomo is expected to sign this package of bills into law.

Law enforcement unions criticized the process by which the legislature passed the repeal of section 50-a legislation and other bills that seek to reform policing. They believe that that the process was rushed and did not include their insight. In addition, they assert the bills “are neither fair nor reasonable.” This is a link to a [speech](#) from Correction Officers Benevolent Association President Elias Husamudeen, with an introduction by Police Benevolent Association Patrick Lynch, discussing opposition to the repeal of section 50- a.

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