



POLICE DEPARTMENT

LEGAL BUREAU
INSPECTOR GENERAL COORDINATION UNIT
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NEW YORK, NY 10038
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September 27, 2024

Honorable Eric L. Adams Mayor
of the City of New York City Hall
New York, NY 10007

Honorable Adrienne E. Adams
Speaker
The New York City Council 250
Broadway, 18th Floor New
York, NY 10007

Jocelyn E. Strauber
Commissioner
New York City Department of Investigation
180 Maiden Lane, 18th Floor
New York, NY 10038

Jeanene L. Barrett
Inspector General
Office of the Inspector General for the NYPD
New York City Department of Investigation
180 Maiden Lane, 18th Floor
New York, NY 10038

Dear Mayor Adams, Speaker Adams, Commissioner Strauber, and Inspector General Barrett:

The New York City Police Department hereby submits its response to the May 30, 2024 Report of the Office of the Inspector General for the NYPD (“OIG”) entitled, “An Assessment of NYPD’s Compliance with the POST Act” (the “Report”).

The Department thanks OIG for its assessment of the Department’s policies, practices, and procedures related to compliance with the POST Act.

Having reviewed the Report, the Department responds to OIG’s recommendations as follows:

Recommendation One

The Department accepts this recommendation. While the Department does not believe that the POST Act, by its terms, requires a separate impact and use policy (“IUP”) for Digidog, the Department will prepare a separate IUP as recommended by OIG.

Recommendation Two

The Department accepts this recommendation. The Department believes that the IUPs applicable to StarChase, IDEMIA, and the AR application meet the requirements of the POST Act. Nevertheless, the Department will review the IUPs in question and provide additional information in those IUPs to address the concerns raised by OIG. The Department already updated the GPS Tracking Device IUP on September 13, 2024 to provide additional information regarding StarChase.

Recommendation Three

The Department accepts this recommendation. If the Department utilizes the K5 robot in the future, it will update the SAC IUP to disclose health and safety information related to the robot.

Recommendation Four

The Department accepts this recommendation. Going forward, the Department will only “group” surveillance technologies in a manner consistent with the standard described in this recommendation.

Recommendation Five

The Department accepts this recommendation. The Department will review its IUPs to determine if “grouping” in the IUPs is consistent with the standard described in Recommendation 4 and will ungroup technologies or issue addenda as appropriate.

Recommendation Six

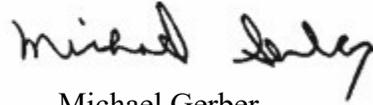
The Department rejects this recommendation. As the Report acknowledges, this recommendation is not required by the POST Act. The Department is committed to complying with the requirements of the POST Act and will continue to do so.

Recommendation Seven

The Department rejects this recommendation. As the Report acknowledges, this recommendation is not required by the POST Act. The Department is committed to complying with the requirements of the POST Act and will continue to do so.

The Department thanks OIG for the Report and looks forward to ongoing collaboration with OIG regarding the Department's compliance with the POST Act.

Regards,

A handwritten signature in black ink, appearing to read "Michael Gerber". The signature is written in a cursive, slightly slanted style.

Michael Gerber
Deputy Commissioner,
Legal Matters