



NEW YORK STATE SENATOR

George M. Borrello

Statement by Senator Borrello on the Unintended Consequences of the Repeal of 50-A

GEORGE M. BORRELLO June 22, 2020

| ISSUE: **50-A OF CIVIL RIGHTS LAW, POLICE, LOCAL GOVERNMENT**



“This is why I voted against the repeal of 50-a. Officials in the Town of Cuba have alerted me to a fax they received from an out-of-state organization called [MuckRock](#), demanding copies of all police personnel files - dating back to the 1970’s - that contain complaints of misconduct, including accusations that were found to be groundless after investigation. MuckRock has stated that they have made this request of every policing agency in New York State.

“At a time when localities are struggling to meet their regular expenses because of the crushing impact that COVID-19 has had on their budgets, it is outrageous that they will now be required to devote precious staff time and taxpayer dollars towards searching, copying, faxing and emailing decades-old personnel files containing groundless claims, even those where the officers involved have been deceased for decades. For many police departments, the small reimbursement that they are entitled to collect from the requesting organization won’t even begin to cover the costs. Services to the public may even be impacted.

“What good will this information serve? It will wrongly tarnish officers who had unsubstantiated complaints lodged by vengeful criminal defendants and serve as fodder for lawsuits by trial lawyers looking to line their pockets. Taxpayers will be picking up the tab for this phishing expedition. That’s why a thoughtful analysis that included the potential financial impact and unintended consequences should have been done. This is another example of why knee-jerk reactions for political reasons are costly.”

###

Read more: <https://www.muckrock.com/news/archives/2020/jun/16/muckrock-brechner-ny-police-foil-project/>