

NEW YORK CITY POLICE DEPARTMENT

Notice of Public Hearing and Opportunity to Comment on Repeal of Rules

What are we proposing? The New York City Police Department (“NYPD”) is proposing to repeal its rules concerning press credentials. The City passed Local Law 46 of 2021, which will transfer the responsibility of issuing press credentials to members of the press as well as the authority to seize, suspend and revoke press credentials from the New York City Police Department (“NYPD”) to the Mayor’s Office of Media and Entertainment (“MOME”), effective January 20, 2022.

Due to the current public health emergency, the public hearing for the repeal of the NYPD’s rules is being scheduled as a virtual hearing, which may be accessed according to the information given below in this Notice.

When and where is the Hearing? The NYPD will hold a public hearing on the proposed rules repeal online. The public hearing will take place at 10:00 am on December 10, 2021.

- Join On-Line

To join the hearing via your browser either click on the following URL link or copy and paste it into your browser’s address bar. Then follow the prompts.

<https://www.zoomgov.com/j/1618840777?pwd=SG9HZ3ZQcVJ3YnpVdW9mUkhMajY3UT09>

When prompted, enter the following meeting ID and password:

Meeting ID: 161 884 0777

Passcode: 6WY=.+!J

- Join via phone only

To join the meeting only by phone, use the following information to connect:

Dial by your location:

+1 669 254 5252 US (San Jose)

+1 646 828 7666 US (New York)

+1 669 216 1590 US (San Jose)

+1 551 285 1373 US

Meeting ID: 161 884 0777

Passcode: 82116372

How do I comment on the proposed rules repeal? Anyone can comment by:

- **Website.** You can submit comments to the NYPD through the NYC rules Website at rules.cityofnewyork.us.
- **Email.** You can email written comments to the NYPD at nycrules@nypd.gov.

- **Mail.** You can mail written comments to the NYPD Legal Bureau at One Police Plaza, Room 1406, New York, NY 10038 c/o Agency Attorney Lauren Danza.
- **Fax.** You can fax written comments to the NYPD at 646-610-8377.
- **By Speaking at the Hearing.** Anyone who wants to comment on the proposed rules repeal at the public hearing must sign up to speak. You can sign up before the hearing by calling 646-610-5400 and asking for Lauren Danza or by emailing Lauren.Danza@nypd.org by December 3, 2021, and including your name and affiliation. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes.

Is there a deadline for submitting written comments? Yes, you must submit written comments by December 10, 2021.

What if I need assistance to participate in the Hearing? Advanced notice is requested if you need a reasonable accommodation of a disability to allow sufficient time to arrange the accommodation. You may contact us by telephone at 646-610-5400 and asking for Lauren Danza or by emailing Lauren.Danza@nypd.org. Please contact us by December 3, 2021.

Can I review the comments made on the proposed rules repeal? You can review the comments made online on the proposed rules repeal by going to the website at rules.cityofnewyork.us. After the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public.

What authorizes the NYPD to repeal these rules? Sections 389(b) and 1043 of the City Charter authorize the NYPD to repeal these rules. This proposed rules repeal was not included in the NYPD's regulatory agenda because the NYPD did not publish a regulatory agenda for Fiscal Year 2022.

Where can I find NYPD's rules? The NYPD's rules are found in Title 38 of the Rules of the City of New York.

What laws govern the rulemaking process? The NYPD must meet the requirements of section 1043 of the New York City Charter when creating, changing rules or repealing rules. This notice is made in accordance with the requirements of section 1043 of the New York City Charter.

STATEMENT OF BASIS AND PURPOSE OF PROPOSED RULES

The New York City Police Department's ("NYPD") Office of the Deputy Commissioner, Public Information currently issues press credentials to members of the press who cover, in person, emergency, spot, or breaking news events and/or public events of a non-emergency nature and those sponsored by the City of New York. There are existing NYPD rules, codified in Chapter 11 of Title 38 of the Rules of the City of New York, regarding the issuance and denial of press credentials, as well as for when a press credential may be summarily suspended or revoked and the procedures that govern hearings if a credential application is denied or a credential is summarily suspended or sought to be revoked.

Local Law 46 of 2021, which will be codified as Administrative Code § 3-119.4, transfers the duty to issue press credentials from NYPD to the Mayor's Office of Media and Entertainment ("MOME"). This local law also establishes a process for administrative appeals and hearings at the Office of Administrative Trials and Hearings ("OATH") and requires MOME to promulgate rules concerning application procedures for press credentials, criteria for denial of an application for a press credential, and criteria for suspension or revocation of a press credential. Consistent with Local Law 46, the NYPD is proposing to repeal its press credential rules.

Proposed Rules Repeal

Chapter 11 of Title 38 of the Rules of the City of New York, relating to the issuance, denial, summary suspension, and revocation of press credentials by the New York City Police Department, is REPEALED.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Repeal of Rules Relating to Press Credentials

REFERENCE NUMBER: 2021 RG 080

RULEMAKING AGENCY: New York City Police Department

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: October 21, 2021

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Repeal of Rules Relating to Press Credentials

REFERENCE NUMBER: NYPD-12

RULEMAKING AGENCY: New York Police Department

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco Navarro
Mayor's Office of Operations

October 21, 2021
Date