



NEW YORK STATE SENATOR

Susan Serino

SERINO PROPOSES INDEPENDENT COMMISSION TO COMBAT SEXUAL HARASSMENT IN STATE GOVERNMENT

SUSAN SERINO January 8, 2018

ALBANY, NY—Senator Sue Serino (R, C, I—Hyde Park) today announced the introduction of a bill that would create a truly independent commission aimed at increasing transparency and more effectively combating sexual harassment in state government.

“Taxpayer dollars are being doled out to silence victims and protect predators. The time has come to put a hard stop on the practice of secret settlements and pushing aside victims who have seen their reputations harmed and their careers ruined,” said Senator Serino. “It is high time we bring the issue of sexual harassment and discrimination out of the shadows, increase transparency without compromising victim’s identity, and ensure that we are creating a culture where victims are able to come forward without fear of retribution. By creating a truly independent process, that is what this bill aims to do.”

Specifically, Senator Serino’s bill (S. 7337) would put an end to using tax dollars for secret settlements to cover for government officials acts of predatory behavior. This bill establishes an independent joint commission on public transparency and sexual harassment charged with:

- Establishing uniform definitions of sexual harassment and associated policies across state agencies, offices, and branches of government;

- Receiving complaints and referrals of sexual harassment or misconduct;
- Immediately reporting any allegation that would constitute a crime to law enforcement;
- Reviewing and investigating complaints and designating them as “founded” and “unfounded” and recommend an appropriate resolution and determine whether the commission approves of the use of public monies to resolve the issue
- Annual reporting to the legislature and the Governor on the amount of claims that reported and those determined to be “founded” and “unfounded” to provide for tracking of agencies and entities that may have above average complaints/trends.

While members of the commission are to be appointed by the Legislature, the Governor and the Chief Judge, the bill expressly requires the members to have relevant experience in handling these particular kinds of cases in order to restore integrity and credibility to the process. Specifically, the membership would include attorneys with actual experience in the establishment of institutional policies, sexual harassment claims, sex crimes, and reporting requirements.

With the state paying out at least \$5 million to settle sexual harassment cases between 2008 and 2010—and the Comptroller’s Office cautioning that it is not clear exactly how much was paid out for such cases in recent years—it is critical that we act swiftly to implement a uniform policy across state government and empower victims. As such, this legislation seeks to bring more accountability and transparency to state government and preventing these crimes from simply being swept under the rug with taxpayer money.

“It is time to take this process out of the hands of some back room in the Capitol and ensure that claims of sexual harassment or discrimination are judged on their merit alone, by an independent body,” Serino continued. “If a member of state government is found to have

committed sexual harassment, taxpayer dollars should not be used to silence victims and enable 'business as usual.' I encourage my colleagues in both houses to join me in pushing for an independent process."