

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: SECOND DEPARTMENT

----- X
ISAAC VALDEZ,

Plaintiff,

-against-

THE CITY OF NEW YORK, THE NEW YORK CITY
POLICE DEPARTMENT, MICHAEL MELOCOWSKY,
and "JOHN DOES" 1-10,

Defendants.
----- X

**AFFIRMATION OF
ALAN DEUTSCH**

Case Nos. 2024-09539
2024-10747

ALAN DEUTSCH, an attorney admitted to practice in the State of New York, affirms under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the following is true, and I understand that this document may be filed in an action or a proceeding in a court of law:

1. I serve as a Senior Counsel and Records Access Officer for the New York City Department of Citywide Administrative Services ("DCAS").
2. This affirmation is based upon my personal knowledge and upon the books and records of DCAS.
3. I respectfully submit this affirmation in support of the motion of Defendants City of New York ("City"), the New York City Police Department ("NYPD"), and Michael Melocowsky for confirmation of Defendants' statutory stay of executory portions of Supreme Court's Orders, dated August 14, 2024 and September 30, 2024, in the matter of *Isaac Valdez v. The City of New York, The New York City Police Department, Michael Melocowsky, and "John Does" 1-10*, Index No. 152301/2022, or alternatively, for a discretionary stay of those orders.

4. DCAS maintains the Citywide Equal Employment Database System (“CEEDS”). Through this database, individual City agencies submit to DCAS data relating to reasonable accommodation requests received by each respective agency, the status of each such request, and the category of each such request, such as “religion.” Written requests for reasonable accommodations, determinations, and other related documents are not submitted to, or maintained in the CEEDS database or in any other citywide database or document repository. Instead, each City agency separately maintains the reasonable accommodation requests made by its own employees, along with records relating to the approvals and denials of such requests.

5. In November 2023, DCAS prepared a report based on reasonable accommodation request data from the CEEDS database in response to a Freedom of Information Law (“FOIL”) request submitted by Plaintiff’s attorney. According to this report, 3,611 City employees across 51 separate agencies submitted requests for religious accommodations in 2019; 3304 City employees submitted such requests in 2020; 5685 City employees submitted requests in 2021; and 1292 City employees submitted requests in 2022. Thus, the total number of religious accommodation requests reflected in CEEDS for the four years at issue is 13,892.

6. Of the requests noted above, the above-referenced report reflects that City agencies granted 2767 employee requests for religious accommodations in 2019; 693 such requests in 2020; 1799 in 2021; and 952 in 2022. Thus, the total number of approved religious accommodation requests reflected in CEEDS for the four years at issue is 6,211.

7. The reasonable accommodation request totals referenced above do not include requests made by employees of the New York City Department of Education.

Dated: New York, New York
October 29, 2024

Respectfully Submitted,



By: Alan Deutsch
Senior Counsel and Records Access Officer

To: All Counsel of Record (via NYSCEF)