

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF RICHMOND

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ISAAC VALDEZ,

Plaintiff, **AFFIRMATION**

-against-

Index No. 152301/2022

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

Defendants.

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I, Florina Getman, affirm this 31st day of January 2025, under the penalties of perjury under the laws of the State of New York, which may include a fine or imprisonment, that the forgoing is true, and I understand that this document may be used or filed in an action or proceeding in a court of law:

1. I am the Deputy Director for the Office of Equal Employment Opportunity ("EEO Office") within the New York City Department of Correction ("DOC").

2. I am familiar with the records of requests for religious accommodation that were submitted to the DOC's EEO Office for the period of January 1, 2019 through December 31, 2022 ("the relevant period").

3. During the relevant period, the EEO Office received approximately 1,093 religious accommodation requests.

4. Religious accommodation requests for the relevant period do not exist in digital format. All accommodation requests for the relevant period are paper documents. There are approximately 2,453 requests for various kinds of accommodation combined for the relevant period.

5. All accommodation requests for the relevant period are stored together in alphabetical order, and religious accommodation requests are not stored separately from other kinds of accommodation requests. All 2,453 accommodation requests would have to be reviewed in order to identify religious accommodation requests.

6. During the relevant period, the form used to request a religious accommodation was two pages long. An applicant could also submit supporting documentation with their request for religious accommodation.

7. In addition to the actual request for such an accommodation by an employee and their supporting documentation, the EEO Office generates documents pursuant to the review of such request. This can include, but is not limited to, handwritten or electronic notes prepared pursuant to a cooperative dialogue with the requesting employee, as well as notes detailing conversations with other members within DOC outlining possible accommodation options. It can also include printouts from various DOC systems, internal email communications, and paperwork from the command where the individual is assigned, all in an effort to evaluate possible accommodation options. In addition to what is collected during the information gathering process, the EEO Office issues its response. That response is typically maintained electronically in a shared drive but may also be included in the physical paper file.

8. In most instances, the file includes a paper file, materials saved on a shared drive, in emails, and in a case management database utilized by attorneys. A search would have to be conducted in multiple locations for each individual religious accommodation request to identify all such documents.

9. In order to make the paper records available for production, each individual page of a religious accommodation request would have to be copied and/or scanned. Furthermore,

searches would have to be conducted of files within the shared drive, within the assigned investigator's own drive, in emails, and in the case management database utilized by the EEO Office to identify any additional documents associated with each religious accommodation request.

10. The EEO Office has limited staff available to perform these functions.

11. It would be a significant operation burden for the EEO Office's staff to identify, copy/scan, and turn over all such documents to the Law Department for production. Furthermore, this would significantly distract from the EEO Office's ability to perform its other duties and responsibilities.

Dated: New York, New York
January 31, 2025

Florina Getman, Esq.
Deputy Director, Office of Equal Employment
Opportunity
NYC Department of Correction

By: Florina Getman
Florina Getman, Esq.
Deputy Director