S T A T E O F N E W Y O R K

5267

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

Introduced by Sen. BALL -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the executive law, in relation to the creation of a system of uniform identification cards for police and peace officers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The executive law is amended by adding a new section 718 to read as follows:

S 718. UNIFORM IDENTIFICATION CARDS FOR POLICE AND PEACE OFFICERS. 1. THE COMMISSIONER SHALL ESTABLISH AND MAINTAIN A STATEWIDE DATABASE FOR THE PURPOSE OF CREATING, DISTRIBUTING AND MONITORING UNIFORM IDENTIFICATION CARDS FOR ALL POLICE AND PEACE OFFICERS IN THE STATE AS SUCH OFFICERS ARE DEFINED IN SECTIONS 1.20 AND 2.10 OF THE CRIMINAL PROCEDURE LAW. THE COMMISSIONER, IN CONJUNCTION WITH THE DIVISION OF CRIMINAL JUSTICE SERVICES, SHALL PROVIDE FOR THE TRANSMISSION OF INFORMATION CONTAINED IN THE REGISTRIES MAINTAINED PURSUANT TO SECTION EIGHT HUNDRED FORTY-FIVE OF THIS CHAPTER. THE COMMISSIONER MAY REQUIRE THE TRANSMISSION OF SUCH INFORMATION AS HE DEEMS NECESSARY TO COMPLY WITH THE PROVISIONS OF THIS SECTION.

2. THE COMMISSIONER, IN CONJUNCTION WITH THE DIVISION OF CRIMINAL JUSTICE SERVICES, SHALL DEVELOP AND DISTRIBUTE UNIFORM IDENTIFICATION CARDS TO ALL POLICE AND PEACE OFFICERS IN THIS STATE WHICH SHALL CONTAIN ALL THE FOLLOWING INFORMATION:

(A) A PERSONAL IDENTIFICATION NUMBER AND THE PERSON'S BADGE NUMBER, IF APPLICABLE;

(B) THE INDIVIDUAL'S HEIGHT, WEIGHT, EYE COLOR, SEX AND RACE;

(C) THE TOWN, VILLAGE, CITY, COUNTY, DEPARTMENT, DISTRICT, DIVISION, AGENCY OR MUNICIPALITY THAT THE PERSON IS A VOLUNTEER WITH OR EMPLOYED FOR;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD11290-01-1

(D) A DIGITIZED PHOTOGRAPH OF THE PERSON THAT SHALL BE THE PERSON'S DRIVER'S LICENSE PHOTOGRAPH AND SHALL BE OBTAINED FROM THE DEPARTMENT OF MOTOR VEHICLES;

(E) A DISTINCTIVE MARK OR SYMBOL WHICH DESIGNATES THE PERSON'S SPECIAL EXPERTISE, TRAINING AND RANK, IF APPLICABLE;

(F) THE NEW YORK STATE SEAL;

(G) ANY OTHER INFORMATION THE DIRECTOR DEEMS APPROPRIATE.

3. THE COMMISSIONER SHALL ESTABLISH PROCEDURES FOR DIRECTING THE RETURN OF IDENTIFICATION CARDS WHEN A PERSON'S EMPLOYMENT OR ASSOCIATION WITH THE TOWN, VILLAGE, CITY, COUNTY, DEPARTMENT, DISTRICT, DIVISION, AGENCY OR MUNICIPALITY FOR WHICH THEY VOLUNTEER WITH OR WORK FOR HAS ENDED AND FOR PLACING AN ALERT IN THE DATABASE WHERE A CARD HAS BEEN LOST OR STOLEN AND ANY ACTION THE COMMISSIONER DEEMS NECESSARY UNDER SUCH CIRCUMSTANCES.

4. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS NECESSARY TO OBTAIN THE INFORMATION NECESSARY TO IMPLEMENT THE DATABASE REQUIRED BY THIS SECTION, ISSUE UNIFORM IDENTIFICATION CARDS, ENSURE THAT DIGITIZED PHOTOGRAPHS ARE RECENT AND ESTABLISH PROGRAMS OR INITIATIVES TO SUPPLEMENT SUCH SYSTEM FOR THE PURPOSE OF IMPROVING LAW ENFORCEMENT SECURITY. THE COMMISSIONER SHALL CONSULT AND COMPLY WITH ANY FEDERAL LAWS, RULES, REGULATIONS OR STANDARDS PERTAINING TO THE ISSUANCE OF UNIFORM LAW ENFORCEMENT IDENTIFICATION CARDS.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.