

STATE OF NEW YORK

3799

2021-2022 Regular Sessions

IN SENATE

January 30, 2021

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

AN ACT to amend the New York city charter, in relation to expanding the investigative scope of the Civilian Complaint Review Board to include allegations of racial profiling

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph 1 of subdivision (c) of section 440 of the New
2 York city charter, as amended by a vote of the people of the city of New
3 York at the general election held in November of 2019, is amended to
4 read as follows:

5 1. The board shall have the power to receive, investigate, hear, make
6 findings and recommend action upon complaints by members of the public
7 against members of the police department that allege racial profiling or
8 misconduct involving excessive use of force, abuse of authority,
9 discourtesy, or use of offensive language, including, but not limited
10 to, slurs relating to race, ethnicity, religion, gender, sexual orien-
11 tation and disability. The board shall also have the power to investi-
12 gate, hear, make findings and recommend action regarding the truthfulness
13 of any material official statement made by a member of the police
14 department who is the subject of a complaint received by the board, if
15 such statement was made during the course of and in relation to the
16 board's resolution of such complaint. The findings and recommendations
17 of the board, and the basis therefor, shall be submitted to the police
18 commissioner. No finding or recommendation shall be based solely upon an
19 unsworn complaint or statement, nor shall prior unsubstantiated,
20 unfounded or withdrawn complaints be the basis for any such finding or
21 recommendation.

22 § 2. This act shall take effect immediately.

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

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