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

3619--A

2011-2012 Regular Sessions

I N S E N A T E

February 28, 2011

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to prohibiting law enforcement officers and peace officers from inquiring about the immigration status of a victim or witness to a criminal offense

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 837-s to read as follows:

S 837-S. PROHIBITIONS ON LAW ENFORCEMENT OFFICERS AND PEACE OFFICERS. 1. A LAW ENFORCEMENT OFFICER OR A PEACE OFFICER MAY NOT INQUIRE AS TO THE IMMIGRATION STATUS OF A VICTIM OF OR WITNESS TO A CRIMINAL OFFENSE EXCEPT AS NECESSARY TO INVESTIGATE THE OFFENSE.

2. FOR THE PURPOSES OF THIS SECTION "LAW ENFORCEMENT OFFICER" MEANS A STATE OR LOCAL POLICE OFFICER AND "PEACE OFFICER" MEANS ANY PERSON DESIGNATED AS A PEACE OFFICER PURSUANT TO SECTION 2.10 OF THE CRIMINAL PROCEDURE LAW.

S 2. This act shall take effect immediately.

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

LBD03969-03-2