

6038

2015-2016 Regular Sessions

I N   S E N A T E

August 26, 2015

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Introduced by Sen. PERKINS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the criminal procedure law, in relation to prohibiting a grand jury from inquiring into an offense or misconduct that involves a shooting or use of excessive force by a police officer or peace officer that led or leads to the death or personal injury of a civilian

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

1     Section 1. Subdivision 1 of section 190.55 of the criminal procedure  
2 law is amended to read as follows:  
3     1. (A) A grand jury may hear and examine evidence concerning the  
4 alleged commission of any offense prosecutable in the courts of the  
5 county, and concerning any misconduct, nonfeasance or neglect in public  
6 office by a public servant, whether criminal or otherwise.  
7     (B) A GRAND JURY SHALL NOT INQUIRE INTO AN OFFENSE OR MISCONDUCT THAT  
8 INVOLVES A SHOOTING OR USE OF EXCESSIVE FORCE BY A POLICE OFFICER AND/OR  
9 PEACE OFFICER, AS DEFINED IN SECTIONS 1.20 AND 2.10 OF THIS CHAPTER  
10 RESPECTIVELY, THAT LED OR LEADS TO THE DEATH OR PERSONAL INJURY OF A  
11 CIVILIAN.  
12     S 2. This act shall take effect on the thirtieth day after it shall  
13 have become a law.

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

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