

# STATE OF NEW YORK

5046

2017-2018 Regular Sessions

## IN SENATE

March 6, 2017

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

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 § 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.

LBD00225-02-7