STATE OF NEW YORK

10855

IN ASSEMBLY

July 24, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Taylor) -- read once and referred to the Committee on Codes

AN ACT to amend the executive law, in relation to establishing a duty to report an unauthorized use of force by a police officer

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-w to read as follows:

§ 837-w. Duty to report unauthorized use of force. 1. For the purposes of this section:

(a) "police officer" means a person designated as such in subdivision thirty-four of section 1.20 of the criminal procedure law; and

(b) "use of force" means any action defined in subdivision one of section eight hundred thirty-seven-t of this article.

2. Every police officer shall be required to intervene and report when he or she witnesses the unauthorized use of force by another police officer. Whenever such officer is required to report under this section, he or she shall immediately notify his or her police agency. Such agency shall then investigate such report.

3. Any police officer who fails to intervene and report in violation of this section shall be guilty of a class B misdemeanor.

§ 2. This act shall take effect immediately.

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

LBD16694-03-0