

STATE OF NEW YORK

4563

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to the disclosure of disciplinary charges against a police officer or peace officer

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

1 Section 1. The opening paragraph of subdivision 1 and subdivision 2 of
2 section 837-t of the executive law, as added by section 1 of part RR of
3 chapter 55 of the laws of 2019, are amended and a new subdivision 3 is
4 added to read as follows:

5 The chief of every police department, each county sheriff, and the
6 superintendent of state police shall report to the division, in a form
7 ~~[and]~~, manner and regularity as defined in regulations by the division,
8 any instance or occurrence in which a police officer, as defined in
9 subdivision thirty-four of section 1.20 of the criminal procedure law,
10 or a peace officer, as defined in section 2.10 of the criminal procedure
11 law, is brought up for potential disciplinary action or, employs the use
12 of force as follows:

13 2. ~~[On an annual basis]~~ For each calendar year, the commissioner shall
14 conspicuously publish on the department's website a comprehensive report
15 including the disciplinary information and use of force information
16 received under subdivision one of this section during the preceding
17 year. Such reports shall ~~[not]~~ identify the names of the individuals
18 involved, ~~[but]~~ and for each event reported, shall list the date of the
19 event, the location ~~[disaggregated by county]~~ and law enforcement agen-
20 cies involved, the town or city, and any additional relevant location
21 information, a description of the circumstances of the event, ~~[and]~~ the
22 race, sex, ethnicity, age, or, if unknown, approximate age of all
23 persons engaging in ~~[the]~~ any use of force or suffering ~~[such]~~ injury, a
24 list of any disciplinary charges brought, the factual bases for those
25 charges, and the results of those charges and whether they were substan-

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

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1 tiated. Such reports shall be issued no later than March thirty-first
2 for a calendar year ending the previous December thirty-first.

3 3. Each month, the commissioner shall update a public raw dataset of
4 all police disciplinary data, containing a list of disciplinary charges,
5 the departments and officers against which such charges were filed, the
6 alleged violations, and the results of the proceedings if completed.

7 § 2. This act shall take effect immediately.