STATE OF NEW YORK

7450

2021-2022 Regular Sessions

IN ASSEMBLY

May 10, 2021

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

AN ACT to amend the executive law, in relation to establishing a statewide law enforcement officer misconduct database

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. Statewide law enforcement officer misconduct database. Notwithstanding any provision of law to the contrary, the division shall establish a statewide public database covering every local police department, each county sheriff's office, the division of the state police and every agency that employs a peace officer in this state, which shall compile the names of any police or peace officer who has had his or her employment terminated due to misconduct, including but not limited to domestic violence, sexual violence, assault and harassment, any criminal offense against a minor, excessive use of force, any violation of 18 U.S.C. 242, perjury, falsifying a police report or planting and destroying evidence, and deadly physical assault; as well as any termination or complaints against such officer. The chief of every police department, each county sheriff, the superintendent of state police and the person in charge of every agency that employs a peace officer in this state shall report to the division, in a form and manner as defined in regulations by the division, all information necessary to compile and maintain the database established pursuant to this section.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

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

LBD06070-01-1