

STATE OF NEW YORK

2794

2021-2022 Regular Sessions

IN SENATE

January 25, 2021

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

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:

1 Section 1. The executive law is amended by adding a new section 837-w
2 to read as follows:

3 § 837-w. Statewide law enforcement officer misconduct database.
4 Notwithstanding any provision of law to the contrary, the division shall
5 establish a statewide public database covering every local police
6 department, each county sheriff's office, the division of the state
7 police and every agency that employs a peace officer in this state,
8 which shall compile the names of any police or peace officer who has had
9 his or her employment terminated due to misconduct, including but not
10 limited to domestic violence, sexual violence, assault and harassment,
11 any criminal offense against a minor, excessive use of force, any
12 violation of 18 U.S.C. 242, perjury, falsifying a police report or
13 planting and destroying evidence, and deadly physical assault; as well
14 as any termination or complaints against such officer. The chief of
15 every police department, each county sheriff, the superintendent of
16 state police and the person in charge of every agency that employs a
17 peace officer in this state shall report to the division, in a form and
18 manner as defined in regulations by the division, all information neces-
19 sary to compile and maintain the database established pursuant to this
20 section.

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

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

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