

STATE OF NEW YORK

5248

2021-2022 Regular Sessions

IN SENATE

February 26, 2021

Introduced by Sen. BRISPORT -- 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 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.

LBD08062-01-1

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.