STATE OF NEW YORK

9114

IN SENATE

May 9, 2022

Introduced by Sen. REICHLIN-MELNICK -- 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 enacting the "police reform and reinvention act of 2022"

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 846-hh to read as follows:

§ 846-hh. New York state police reform and reinvention collaborative. 1. Any local government entity which has a police agency operating with police officers as defined under section 1.20 of the criminal procedure law and which has previously transmitted to the director of the division of the budget the certification required by executive order number two hundred three issued on June twelfth, two thousand twenty and titled "New York State Police Reform and Reinvention Collaborative" shall provide a biennial progress report on steps that have been taken by such government entity and corresponding police agency to advance the goals and initiatives outlined in the improvement plan developed in accordance with executive order number two hundred three (hereinafter referred to as "the plan") to improve the police agency's deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.

2. Such biennial progress report shall include metrics and narrative detailing actions taken by each local government entity and corresponding police agency:

(a) to advance recommendations, goals, action items, and/or initiatives identified in such local government entity and corresponding police agency's plan; and

(b) to address evidence-based policing strategies, including but not limited to, use of force policies; procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit

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

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bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program pursuant to section eight hundred forty-six-h of this article.

3. Each chief executive of such local government shall convene the head of the local police agency, the governing board of the local government, and stakeholders in the community, including but not limited to, members of the community who reside in areas with high numbers of police and community interactions; interested non-profit organizations and community groups; faith leaders; the local office of the district attorney; and the local public defender, in no fewer than three open public meetings to solicit information from and provide feedback to the local police agency while preparing the draft biennial progress report.

4. Such draft biennial progress report shall be offered for public comment to all residents of the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April first, two thousand twenty-three; and each odd-numbered year thereafter on April first.

5. Such local government shall transmit a certification to the director of the division of the budget to affirm that such process has been complied with and such local law or resolution has been adopted. The director of the division of the budget shall be authorized to condition receipt of future appropriated state or federal funds upon filing of such certification for which such local government would otherwise be eligible. The director of the division of the budget shall discontinue and reverse any withholds made pursuant to this provision upon receipt of the certification required by this statute.

6. Such local government shall file a copy of the biennial progress report with the division within thirty days of the ratification or adoption of such biennial progress report. The division shall make electronic copies of such biennial progress reports available for review by the public in a centralized repository accessible via the internet.

7. Beginning on April first, two thousand twenty-four, compliance with the provisions of this section shall be considered a prerequisite for consideration of a local policing authority to be accredited under the New York State Law Enforcement Accreditation Program pursuant to section eight hundred forty-six-h of this article.

§ 2. This act shall take effect immediately.