STATE OF NEW YORK

9588

IN SENATE

May 16, 2024

Introduced by Sen. MAYER -- 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 requiring training for police officers on discharging a firearm at a moving vehicle

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

Section 1. Subparagraph 2 of paragraph (d) of subdivision 4 of section 840 of the executive law, as added by section 1 of part ZZ of chapter 55 of the laws of 2019, is amended to read as follows:

(2) The model law enforcement use of force policy shall include, but is not limited to:

(i) information on current law as it relates to the use of force by police and peace officers;

(ii) guidelines regarding when use of force is permitted;

(iii) requirements for documenting use of force;

(iv) procedures for investigating use of force incidents;

(v) guidelines regarding excessive use of force including duty to intervene, reporting, and timely medical treatment for injured persons;

(vi) standards for failure to adhere to use of force guidelines;

(vii) training mandates on use of force, conflict prevention, conflict resolution and negotiation, de-escalation techniques and strategies, including, but not limited to, interacting with persons presenting in an agitated condition; [~~and~~]

(viii) prohibited uses of force**; and**

(ix) best practices, policies, and guidelines regarding the discharge of a firearm at a moving vehicle.

§ 2. Section 840 of the executive law is amended by adding a new subdivision 8 to read as follows:

8. The council shall, in addition:

(a) Develop, maintain and disseminate written policies and procedures regarding use of force by police officers specifically with respect to the discharge of a firearm at a moving vehicle.

(b) Recommend to the governor rules and regulations with respect to the establishment and implementation on an ongoing basis of a training

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

LBD15242-01-4

program for all current and new police officers as part of required minimum basic training, regarding the policies and procedures established pursuant to this subdivision, along with recommendations for periodic retraining of police officers.

§ 3. This act shall take effect immediately.