STATE OF NEW YORK

10735

IN SENATE

November 9, 2026

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

AN ACT to amend the executive law, in relation to requiring the attorney general's law enforcement misconduct investigation office identify employees and officers with a practice or pattern of misconduct and requires a review of such employees' and officers' cases

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

Section 1. This act shall be known and may be cited as the "Pattern Misconduct Case Review Act".

§ 2. Paragraph (b) of subdivision 5 of section 75 of the executive law, as added by chapter 104 of the laws of 2020, is amended to read as follows:

(b) **(i)** Upon receiving at least five complaints from five or more individuals relating to at least five separate incidents involving a certain officer or employee within two years, the head of any covered agency shall refer such complaints to the law enforcement misconduct investigative office for review. The law enforcement misconduct investigative office shall investigate such complaints to determine whether the subject officer or employee has engaged in a pattern or practice of misconduct, use of excessive force, or acts of dishonesty. The referral and investigation pursuant to this subdivision shall be in addition to and shall not supersede any civil, criminal, administrative or other action or proceeding relating to such complaints or the subject officer or employee.

(ii) Upon determining that an officer or employee has engaged in a pattern or practice of misconduct, use of excessive force, or acts of dishonesty, the law enforcement misconduct investigative office shall provide its findings to each district attorney whose jurisdiction may include a misdemeanor criminal action, proceeding or conviction in which such officer or employee materially participated. Within sixty days after receiving such findings or a qualifying request, the district attorney shall conduct an individualized review of each identified misdemeanor matter, disclose relevant findings to the defendant or

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

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defense counsel where required or legally permissible, and issue a written determination stating whether dismissal, modification, consent to vacatur, further investigation or no further action is warranted.

(iii) Within sixty days after issuing such determination, the district attorney shall transmit the determination to the law enforcement misconduct investigative office for publication on its website and shall make the determination available to the affected defendant and defense counsel through any applicable defense or discovery portal, subject to redaction or withholding as required by law.

(iv) Nothing in this paragraph shall require the automatic dismissal or vacatur of any charge or conviction, limit the authority of a court, or diminish any right or remedy otherwise available under law.

§ 3. This act shall take effect immediately.