

STATE OF NEW YORK

112

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. GALLIVAN, BORRELLO, GRIFFO, LANZA, MATTERA, MURRAY, OBERACKER, O'MARA, ORTT, PALUMBO, RHOADS, STEC, TEDISCO, WEIK -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law and the criminal procedure law, in relation to establishing the crime of doxing a police officer, peace officer, or state officer

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

1 Section 1. The penal law is amended by adding a new section 240.34 to
2 read as follows:

3 § 240.34 Doxing a police officer, peace officer, or state officer.

4 A person is guilty of doxing a police officer, peace officer, or state
5 officer when such person knowingly makes restricted personal information
6 about a police officer, peace officer, state officer, or a member of the
7 immediate family of such officer, publicly available:

8 1. With the intent to threaten, intimidate, or incite the commission
9 of a crime of violence against the police officer, peace officer, state
10 officer, or a member of the immediate family of such officer; or

11 2. With the intent and knowledge that the restricted personal informa-
12 tion will be used to threaten, intimidate, or facilitate the commission
13 of a crime of violence against the police officer, peace officer, state
14 officer, or a member of the immediate family of such officer.

15 Under this section, police officer and peace officer are as defined
16 under section 1.20 of the criminal procedure law, and state officer is
17 as defined under section two of the public officers law.

18 Doxing of a police officer, peace officer, or state officer shall be a
19 class D felony.

20 § 2. Paragraphs (t) and (u) of subdivision 4 of section 510.10 of the
21 criminal procedure law, paragraph (t) as amended and paragraph (u) as

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

LBD00750-01-5

1 added by section 2 of subpart B of part UU of chapter 56 of the laws of
2 2022, are amended and a new paragraph (v) is added to read as follows:

3 (t) any felony or class A misdemeanor involving harm to an identifi-
4 able person or property, or any charge of criminal possession of a
5 firearm as defined in section 265.01-b of the penal law, where such
6 charge arose from conduct occurring while the defendant was released on
7 [~~his or her~~] their own recognizance, released under conditions, or had
8 yet to be arraigned after the issuance of a desk appearance ticket for a
9 separate felony or class A misdemeanor involving harm to an identifiable
10 person or property, or any charge of criminal possession of a firearm as
11 defined in section 265.01-b of the penal law, provided, however, that
12 the prosecutor must show reasonable cause to believe that the defendant
13 committed the instant crime and any underlying crime. For the purposes
14 of this subparagraph, any of the underlying crimes need not be a quali-
15 fying offense as defined in this subdivision. For the purposes of this
16 paragraph, "harm to an identifiable person or property" shall include
17 but not be limited to theft of or damage to property. However, based
18 upon a review of the facts alleged in the accusatory instrument, if the
19 court determines that such theft is negligible and does not appear to be
20 in furtherance of other criminal activity, the principal shall be
21 released on [~~his or her~~] their own recognizance or under appropriate
22 non-monetary conditions; [~~or~~]

23 (u) criminal possession of a weapon in the third degree as defined in
24 subdivision three of section 265.02 of the penal law or criminal sale of
25 a firearm to a minor as defined in section 265.16 of the penal law[~~+~~];
26 or

27 (v) doxing a police officer, peace officer, or state officer as
28 defined under section 240.34 of the penal law.

29 § 3. Subparagraphs (xx) and (xxi) of paragraph (b) of subdivision 1 of
30 section 530.20 of the criminal procedure law, paragraph (xx) as amended
31 and paragraph (xxi) as added by section 4 of subpart C of part UU of
32 chapter 56 of the laws of 2022, are amended and a new subparagraph
33 (xxii) is added to read as follows:

34 (xx) any felony or class A misdemeanor involving harm to an identifi-
35 able person or property, or any charge of criminal possession of a
36 firearm as defined in section 265.01-b of the penal law where such
37 charge arose from conduct occurring while the defendant was released on
38 [~~his or her~~] their own recognizance, released under conditions, or had
39 yet to be arraigned after the issuance of a desk appearance ticket for a
40 separate felony or class A misdemeanor involving harm to an identifiable
41 person or property, provided, however, that the prosecutor must show
42 reasonable cause to believe that the defendant committed the instant
43 crime and any underlying crime. For the purposes of this subparagraph,
44 any of the underlying crimes need not be a qualifying offense as defined
45 in this subdivision. For the purposes of this paragraph, "harm to an
46 identifiable person or property" shall include but not be limited to
47 theft of or damage to property. However, based upon a review of the
48 facts alleged in the accusatory instrument, if the court determines that
49 such theft is negligible and does not appear to be in furtherance of
50 other criminal activity, the principal shall be released on [~~his or her~~]
51 their own recognizance or under appropriate non-monetary conditions;
52 [~~or~~]

53 (xxi) criminal possession of a weapon in the third degree as defined
54 in subdivision three of section 265.02 of the penal law or criminal sale
55 of a firearm to a minor as defined in section 265.16 of the penal
56 law[~~+~~]; or

1 (xxii) doxing a police officer, peace officer, or state officer as
2 defined under section 240.34 of the penal law.

3 § 4. Paragraphs (t) and (u) of subdivision 4 of section 530.40 of the
4 criminal procedure law, paragraph (t) as amended and paragraph (u) as
5 added by section 4 of subpart B of part UU of chapter 56 of the laws of
6 2022, are amended and a new paragraph (v) is added to read as follows:

7 (t) any felony or class A misdemeanor involving harm to an identifi-
8 able person or property, or any charge of criminal possession of a
9 firearm as defined in section 265.01-b of the penal law, where such
10 charge arose from conduct occurring while the defendant was released on
11 [~~his or her~~] their own recognizance, released under conditions, or had
12 yet to be arraigned after the issuance of a desk appearance ticket for a
13 separate felony or class A misdemeanor involving harm to an identifiable
14 person or property, or any charge of criminal possession of a firearm as
15 defined in section 265.01-b of the penal law, provided, however, that
16 the prosecutor must show reasonable cause to believe that the defendant
17 committed the instant crime and any underlying crime. For the purposes
18 of this subparagraph, any of the underlying crimes need not be a quali-
19 fying offense as defined in this subdivision. For the purposes of this
20 paragraph, "harm to an identifiable person or property" shall include
21 but not be limited to theft of or damage to property. However, based
22 upon a review of the facts alleged in the accusatory instrument, if the
23 court determines that such theft is negligible and does not appear to be
24 in furtherance of other criminal activity, the principal shall be
25 released on [~~his or her~~] their own recognizance or under appropriate
26 non-monetary conditions; [~~or~~]

27 (u) criminal possession of a weapon in the third degree as defined in
28 subdivision three of section 265.02 of the penal law or criminal sale of
29 a firearm to a minor as defined in section 265.16 of the penal law[~~;~~];
30 or

31 (v) doxing a police officer, peace officer, or state officer as
32 defined under section 240.34 of the penal law.

33 § 5. This act shall take effect on the thirtieth day after it shall
34 have become a law.