

STATE OF NEW YORK

10151

IN ASSEMBLY

February 12, 2026

Introduced by M. of A. BORES -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to prohibiting law enforcement officers from arresting a person solely based on certain characteristics

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

Section 1. The criminal procedure law is amended by adding a new section 140.60 to read as follows:

§ 140.60 Arrest without a warrant; when not authorized.

1. A law enforcement officer shall not arrest or detain for any period of time any person solely due to any of the following, or solely due to any combination of the following, characteristics:

(a) the person's apparent race or ethnicity;

(b) the language the person appears to speak or the accent they appear to speak with;

(c) the type of location at which the person was found by a law enforcement officer or any other individual; or

(d) the type of job the person appears to have.

2. For the purposes of this section, "law enforcement officer" shall mean any officer of a local, state, or federal law enforcement agency, or any person acting on behalf of a local, state, or federal law enforcement agency, including any police officer as defined in section 1.20 of this chapter and any person designated as a peace officer as defined in section 2.10 of this chapter.

3. A law enforcement officer found to have violated this section shall be liable for: (a) the greater of the actual damages or statutory damages of not less than ten thousand dollars; and (b) costs and attorneys' fees.

§ 2. Severability. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part thereof directly involved in the controversy in which such judgment shall have been made.

§ 3. This act shall take effect immediately.

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

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