

# STATE OF NEW YORK

1811

2025-2026 Regular Sessions

## IN ASSEMBLY

January 14, 2025

Introduced by M. of A. CLARK -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to requiring reporting to the federal bureau of investigation's national use-of-force data collection program

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

1 Section 1. Section 837-t of the executive law is amended by adding a  
2 new subdivision 3 to read as follows:

3 3. a. In accordance with the reporting requirements established pursu-  
4 ant to subdivision one of this section, the division of criminal justice  
5 services shall report to the federal bureau of investigation's national  
6 use-of-force data collection program, in a form and manner as requested  
7 by such bureau, any instance or occurrence in which a police officer, as  
8 defined in subdivision thirty-four of section 1.20 of the criminal  
9 procedure law, or a peace officer, as defined in section 2.10 of the  
10 criminal procedure law, employs the use of force as follows:

11 (i) brandishes, uses or discharges a firearm or non-lethal projection  
12 weapon, including, but not limited to, the use of rubber bullets, at or  
13 in the direction of another person; or

14 (ii) uses a chokehold or similar restraint that applies pressure to  
15 the throat or windpipe of a person in a manner that may hinder breathing  
16 or reduce intake of air; or

17 (iii) displays, uses or deploys a chemical agent, including, but not  
18 limited to, oleoresin capsicum, pepper spray or tear gas; or

19 (iv) brandishes, uses or deploys an impact weapon, including, but not  
20 limited to, a baton or billy; or

21 (v) brandishes, uses or deploys an electronic control weapon, includ-  
22 ing, but not limited to, an electronic stun gun, flash bomb or long  
23 range acoustic device; or

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

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1 (vi) engages in conduct which results in the death or serious bodily  
2 injury of another person. Serious bodily injury is defined as bodily  
3 injury that involves a substantial risk of death, unconsciousness,  
4 protracted and obvious disfigurement, or protracted loss or impairment  
5 of the function of a bodily member, organ or mental faculty.

6 b. Such report shall include, but not be limited to, detailed circum-  
7 stances of every incident, the age, race, sex, sexual orientation,  
8 gender, gender identity or expression, and ethnicity of all persons  
9 engaging in the use of force or suffering such injury.

10 c. Any police department or sheriff's office, or the division of state  
11 police that fails to make a report required pursuant to subdivision one  
12 of this section shall be subject to the withholding of ten percent of  
13 any state funding due to such department or office, or the division of  
14 state police until such report has been submitted.

15 § 2. This act shall take effect on the thirtieth day after it shall  
16 have become a law.