



NEW YORK STATE SENATOR

Malcolm Smith

Senate Democratic Leader Malcolm A. Smith Convenes Emergency Legislative Meeting

MALCOLM A. SMITH April 28, 2008

Meeting focuses on state legislation to address several police policies and practices

Albany, NY--Senate Democratic Leader Malcolm A. Smith (D-St. Albans) called a joint meeting between the NYS Senate Democratic Conference and NYS Assembly Members to take legislative action on police policies and procedures.

"There is no question that there is a need for a legislative response to past shootings and incidents that have been highly controversial," said Senator Smith. "The proposed legislation that emerged from today's meeting presented laws that will protect both *our* constituents as well as *our* law enforcement agents."

The meeting took place in response to the controversial acquittal of three New York City police officers in the Sean Bell trial. Community residents have expressed outrage over the fatal November 2006 shooting of the bride-groom departing his bachelor party the morning of his wedding, said Senator Smith.

Law enforcement officials and fraternal organizations have also expressed concerns.

"The New York Congressional Delegation is exploring federal legislation to address police policy, nationally," Smith said. "We, on the state level must now begin to reassert the faith of New Yorkers in the judicial process."

Smith said that state legislators will also be seeking input from the law enforcement community on any legislation being considered.

Senator Eric Adams, Ranking Democrat on the Standing Committee on Crime Victims, Crime & Correction Committee said: "Now that the criminal court has spoken it's imperative that the legislators put in place laws and procedures that will prevent a Sean Bell-type incident from taking place again. It is my belief that the Sean Bell incident revealed that there are many deficiencies in police policies and we have an obligation to address those areas of deficiencies."

Assemblyman Ruben Diaz, Jr. said: "On February 4th of 1999 our neighbor Amadou Diallo's shocking death brought focus and determination to the struggle for Justice. More recently the tragic police shooting of Sean Bell, Joseph Guzman and Trent Benefield has sadly reminded us all about the urgent and dire need to stop police brutality, racial profiling, and the inexcusable use of excessive force which in this case resulted in the untimely death of Sean Bell. Now that the court has spoken it is necessary to pass into law the appropriate legislative measures to resolve the problems surrounding police misconduct once and for all."

The cooperative assembly conceived five legislative issues that the Senate and Assembly Members will propose in their respective session, which included:

Appointment of a special/independent prosecutor to investigate cases of police misconduct

Training and protocol of police officers

Crime scene protection and questioning of witnesses

Videotaping of confessions and interrogations

Mandating consent of a prosecutor for the waiver of a jury trial

Senator Neil D. Breslin (D-Albany) said: "Complaints against law enforcement officers should be handled in a comprehensive, immediate, and thorough investigation, which will be consistent throughout the State of New York."

Senate members participating in the meeting included: Senate Deputy Democratic Leader Jeff Klein (D-Bronx), Senators William T. Stachowski (D-Buffalo), Martin Malave Dilan (D-Brooklyn), Ruben Diaz, Sr. (D-Bronx), Andrea Stewart-Cousins (D-Westchester), John Sampson (D-Brooklyn), Liz Krueger (D-Manhattan), Bill Perkins (D-Manhattan), David J. Valesky (D-Syracuse), Velmanette Montgomery (D-Brooklyn), Jose M. Serrano (D-Manhattan), Efrain Gonzalez (D-Bronx), John Sabini (D-Queens), Kevin Parker (D-Brooklyn), and Ruth Hassell-Thompson (D-Bronx).

Also in attendance was Assembly members Ruben Diaz, Jr. (D-Bronx), Vivian Cook (D-Queens), Hakeem Jeffries (D-Brooklyn), and Darryl C. Towns (D-Brooklyn), Chair of the New York State Black, Puerto Rican/Hispanic and Asian Legislative Caucus.

Smith said: "This issue does not just threaten New York City, but it threatens our State. I hope my colleagues across the aisle find the need for legislation just as important."