



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senate Acts on Bills to Protect Community Heroes

JIM RANNEY March 20, 2018

| ISSUE: **COMMUNITY HEROES PROTECTION ACT**



Senator Patrick M. Gallivan (R-C-I, Elma) says the New York State Senate today approved several pieces of legislation to increase protections for the state's law enforcement community, firefighters, and other emergency service workers, including the "Community Heroes Protection Act." The measures are in direct response to the numerous incidents of violence directed at New York's first responders, and would increase penalties for assaults or threats to police, increase safety at correctional facilities, and increase benefits for those who became sick from their heroic service during the World Trade Center recovery.

“Police officers represent the communities they serve and protect, and those who would target these brave men and women must be held accountable,” Gallivan said. “This legislation will send a clear message that we will not tolerate such attacks and that New York stands by our law enforcement representatives.”

The package of legislation includes a bill (S-1984) sponsored by Senator Gallivan which would strengthen existing penalties by creating a new crime when a terrorist threat is made against a police officer. Law enforcement officers are frequent targets of these threats and, in order to adequately deter that activity, a heightened punishment for making a terroristic threat against a police officer is necessary.

The Senate also approved:

S-1747, sponsored by Senator Martin Golden (R-C-I, Brooklyn), which helps protect retired police officers from retaliation by individuals who had been arrested by the officers when they were still on active duty. The bill makes the law consistent with the stronger criminal penalties currently in place to prevent the assault of active duty law enforcement by specifically including retired officers.

S-2125, sponsored by Senator Patty Ritchie (R-C, Heuvelton), which prohibits civilian drone use within 1,000 feet of a correctional facility. The civilian use of unmanned aerial systems, or drones, has increased exponentially in recent years. Though many are used for innocuous reasons, in August 2015, a drone dropped a package containing tobacco, marijuana, and heroin into the Mansfield Correctional Institution in Ohio. By restricting drone use in the immediate vicinity of a correctional facility, this bill would help promote a safer prison environment;

S-5337, sponsored by Senator Kemp Hannon (R, Nassau), expands the permitted use of TSA body image scanner devices in correctional facilities across the state as part of an effort to reduce a high level of inmate “slashing” violence through the use of smuggled blades. The use of the body scanners has been proven to reduce inmate slashing, but the state Commission of Correction suspended the use of the scanners in jails because the Public Health law limits use to medical purposes only – something this bill would amend.

S-6898B, sponsored by Senator Golden, expands line of duty sick leave to include every public officer or employee who, on the job, engaged in World Trade Center rescue, recovery, or cleanup activities. The expansion acknowledges that every public employee deserves benefits related to any qualifying World Trade Center illness or condition as a result of putting their lives on the line to help in any way they could following the tragic events of 9/11; and

S-1302 increases penalties for criminals who target law enforcement through vehicle vandalism. As a result of serving and protecting communities all across the state, law enforcement personnel are placed in dangerous situations on a daily basis. This bill would protect those who protect communities and serve as a deterrent to those who seek to commit such crimes.

In addition to the bills, the Senate Republican conference has been a consistent advocate for the law enforcement community throughout the state. In last year’s budget, and in response to the tragic assassinations of NYPD Officers Miosotis Familia, Wenjian Liu, and Rafael Ramos, the Senate secured \$4 million to help retrofit NYPD patrol cars and command vehicles with bulletproof windows and door panels to help save the lives of law enforcement.

The Senate Republican conference has also spoken loudly and clearly in support of stronger penalties for hardened criminals. This includes a recent Senate petition drive that collected

thousands of signatures calling on the state Parole Board to deny parole for cop-killer Herman Bell and last week's call for the resignation of Parole Board members who granted the release despite Bell's politically-motivated and premeditated assassinations of two New York City police officers.

The Community Heroes Protection Act was inspired by those who have lost their lives, were wounded, or targeted specifically because of their profession as community protectors, such as last year's fatal shooting of NYPD Officer Miosotis Familia. The bill ([S1114A](#)) would make certain crimes explicitly committed against law enforcement, firefighters, and first responders punishable as hate crimes.

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RELATED LEGISLATION

2017-S1984

- Introduced

- - In Committee Assembly
 - In Committee Senate

- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- ○ Passed Assembly
- Passed Senate
- Delivered to Governor
- Signed By Governor
-

Establishes the crime of making a terroristic threat against a police officer

January 11, 2017

In Assembly Committee

Sponsored by Patrick M. Gallivan

Do you support this bill?

2017-S1747

- Introduced
- ○ In Committee Assembly
- In Committee Senate
- ○ On Floor Calendar Assembly
- On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Creates new assault crime for an assault on a retired police officer who previously arrested the assailant

January 10, 2017

In Assembly Committee

Sponsored by **Martin J. Golden**

Do you support this bill?

2017-S2125

- Introduced
- ◦ In Committee Assembly
 - In Committee Senate
- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to prohibiting civilian drone use within 1000 ft of a correctional facility

January 12, 2017

In Assembly Committee

Sponsored by **Patty Ritchie**

Do you support this bill?

2017-S5337

- Introduced
- ◦ In Committee Assembly
 - In Committee Senate
- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to body imaging scanning equipment

March 22, 2017

Signed by Governor

Sponsored by **Kemp Hannon**

Do you support this bill?

2017-S6898B

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to sick leave for officers and employees with a qualifying World Trade Center condition

October 04, 2017

Assembly Floor Calendar

Sponsored by **Martin J. Golden**

Do you support this bill?

2017-S1302

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Prohibits vandalism of a vehicle owned by law enforcement personnel or law enforcement agencies

January 09, 2017

In Assembly Committee

Sponsored by **Tony Avella**

Do you support this bill?

2017-S1114A

- Introduced
- ◦ In Committee Assembly
 - In Committee Senate
- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Designates offenses against law enforcement officers, firefighters and emergency medical services personnel as hate crimes

January 06, 2017

In Assembly Committee

Sponsored by Fred Akshar

Do you support this bill?