



NEW YORK STATE SENATOR

Michael Gianaris

Senate Deputy Leader Gianaris Hails Passage Of Policing Reforms, Including Repeal Of 50-A

MICHAEL GIANARIS June 9, 2020

| ISSUE: **50-A, STAT ACT, POLICE ACCOUNTABILITY, GEORGE FLOYD, POLICE VIOLENCE**



ALBANY – Senate Deputy Leader Michael Gianaris and the Senate Democratic Majority passed major new policing laws, including the repeal of 50-a and other important and long overdue bills. Last year a [public hearing](#) was held to examine the repeal of section 50-a of the Civil Rights Law as part of the Senate Majority’s ongoing commitment to improving the justice system. Recent national events surrounding the deaths of Breonna Taylor and George

Floyd have highlighted the immediate need for these proposals.

Senate Deputy Leader Michael Gianaris said, “This week we take the first steps to acknowledge and begin to fix our broken system of law enforcement. While there is more work to be done, I am proud New York’s legislature is the first to act in response to the latest of many tragedies our country has seen.”

Video of Senator Gianaris’ floor speech is available [here](#). Photos of Senator Gianaris in session can be found [here](#).

The bills passed by the Senate and Assembly will include:

- Senate Bill [S.8496](#): This legislation, sponsored by Senator Jamaal Bailey, will repeal section 50-a of the Civil Rights Law that provides additional protections to the personnel records of police officers, firefighters, and correction officers. This protection has been interpreted to include disciplinary records of law enforcement officers. This repeal would subject these records to FOIL, just as all other records kept by public agencies, while protecting the sensitive personal contact and health information of these officers.
- Senate Bill [S.2574B](#): This legislation, sponsored by Senator Jamaal Bailey, will create an Office of Special Investigation within the Department of Law, under the Attorney General, which will investigate, and, if warranted, prosecute any incident of a person whose death was caused by a police officer or peace officer.
- Senate Bill [S.3253B](#): This legislation, sponsored by Senator Kevin Parker, will clarify that a person not under arrest or in the custody has the right to record police activity and to maintain custody and control of that recording, and of any property or instruments used to record police activities.

- Senate Bill [S.6670B](#): This legislation, the "Eric Garner Anti-Chokehold Act," sponsored by Senator Brian Benjamin, will prohibit the use of chokeholds by law enforcement and establish the crime of aggravated strangulation as a Class-C felony.
- Senate Bill [S.3595B](#): This legislation, sponsored by Senator Kevin Parker, will establish the Law Enforcement Misconduct Investigative Office within the Department of Law to review, study, audit and make recommendations regarding operations, policies, programs and practices of local law enforcement agencies. The goal of this legislation is to enhance the effectiveness of law enforcement, increase public safety, protect civil liberties and civil rights, ensure compliance with constitutional protections and local, state and federal laws, and increase the public's confidence in law enforcement.
- Senate Bill [S.1830C](#): This legislation, sponsored by Senator Brad Hoylman, the Police Statistics and Transparency (STAT) Act, will require courts to compile and publish racial and other demographic data of all low-level offenses, including misdemeanors and violations. The bill also requires police departments to submit annual reports on arrest-related deaths to be submitted to the Department of Criminal Justice Services and to the Governor and the Legislature.
- Senate Bill [S.8492](#): This legislation, sponsored by Senator Kevin Parker, establishes a private right of action for a member of a protected class when another person summons a police or peace officer on them without reason to suspect a crime or an imminent threat to person or property existed.
- Senate Bill [S.6601A](#): This legislation, sponsored by Senator Jamaal Bailey, will amend the Civil Rights Law by adding a new section that affirms New Yorkers' right to medical and mental health attention while in custody.
- Senate Bill [S.8493](#): This legislation, the New York State Police Body-Worn Cameras Program, sponsored by Senator Kevin Parker, will direct the Division of State Police to provide all State police officers with body-worn cameras that are to be used any time an

officer conducts a patrol and prescribes mandated situations when the camera is to be turned on and recording.

- Senate Bill [S.2575B](#): This legislation, sponsored by Senator Jamaal Bailey, will require state and local law enforcement officers, as well as peace officers, to report, within six hours, when they discharge their weapon where a person could have been struck, whether they were on or off duty.

RELATED LEGISLATION

2019-S8496

- 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 the disclosure of law enforcement disciplinary records; and to repeal section 50-a of the civil rights law relating thereto

June 06, 2020

Signed by Governor

Sponsored by [Jamaal T. Bailey](#)

Do you support this bill?