



NEW YORK STATE SENATOR

Jose M. Serrano

Senator Serrano and the Senate Majority Advance Policing Reforms Legislative Package

JOSE M. SERRANO June 10, 2020



(Albany, NY) Senator Serrano, together with the Senate Majority, advanced a major policing reforms legislative package, which includes the repeal of 50-a and other important bills to help implement real improvements to law enforcement efforts in New York. 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 reforming the justice system. Recent national events surrounding the deaths of Breonna Taylor and George Floyd have highlighted the immediate need for these reforms. The implementation of these policing

reforms will help the healing process for minority communities that have been disproportionately targeted and will facilitate better partnerships between law enforcement and the New Yorkers they serve.

“This is a victory for all of us. The families of George Floyd, Breonna Taylor, Eric Garner, and countless others have endured heartbreaking losses. This week's actions look to honor the memories of the Black lives we have lost, and it is our hope that the reforms we have enacted are a significant step on the road to progress, said Senator Serrano. “Our work is far from over. I look forward to continuing to work with my colleagues in government, advocacy groups, and constituents across the 29th Senate District on dismantling systemic racism and discrimination and creating a safer New York for everyone.”

The bills that were advanced by the Senate Majority which have passed both legislative chambers 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.

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