



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan Joins Colleagues in Backing Legislation to Protect Police

JIM RANNEY May 11, 2021

| ISSUE: **POLICE PROTECTION, PROTECTING LAW ENFORCEMENT**



Senator Patrick M. Gallivan (R-C-I, Elma) joined members of the Senate Minority Conference in unveiling several bills to protect and honor the brave members of law enforcement all across New York. The "Protect Those Who Protect Us" package of legislation would also safeguard law-abiding New Yorkers against the disastrous results of so-called criminal justice "reforms."

"Law enforcement officers face enormous challenges while on the job and recent attacks on their profession have made their work even more dangerous," Senator Gallivan said. "Too often police officers come under attack simply because they wear a badge and a uniform. We need to do more to support and protect the men and women who have dedicated their lives to keeping our fellow citizens safe. This legislation will help."

Keynotes of the legislative package to "Protect Those Who Protect Us" in New York include:

S3463 Sponsored by Senator Gallivan, which would make it a crime to dox a police or peace officer simply because of their profession and with the intent to threaten or intimidate that police or peace officer.

S3465 Sponsored by Senator Gallivan, which would make it a crime to falsely accuse a police or peace officer of wrongdoing in the performance of their duties. This is necessary because of the repeal of Section 50-A, and would protect law enforcement against unfounded or unsubstantiated claims.

S2561 would strengthen the penalties for assaulting a police officer.

S3208 would strengthen penalties for causing a police officer to come into contact with foreign substances or objects, such as bottles, flammable liquids, etc.

A proposal by Senator Alexis Weik to Defund Municipalities that Defund the Police Act. The Director of the Division of Budget would withhold state funding to a municipality that abolishes, disbands or significantly reduces its police department. The amount of state money withheld would correspond with the percentage reduction in a police department's budget by the municipality.

In New York City, violent crime has risen at an alarming rate over the past year, with the most recent report by the NYPD showing that overall index crime rose by 30.4 percent compared to April 2020. This rapid increase in crime was driven in part by a 35.6 percent increase in felony assault, a 28.6 percent increase in robbery, and a 166.1 percent increase in shooting incidents.

These alarming statistics follow the implementation of bail reform and discovery reform since 2019, as well as the disbanding of the NYPD's "anti-crime" unit and \$1 billion cut to New York City police funding.

"As a former Trooper and Sheriff of Erie County, I know the vast majority of officers care about the communities they serve and the rights of all law abiding citizens," Senator Gallivan said. "They deserve our support and our appreciation, today and every day."

Today's legislative package also includes:

S3464 Sponsored by Senator Gallivan – Makes it a class D Felony for any person to approach or remain within 25 feet of a police officer engaged in the performance of their duties when they are ordered by an officer and they fail to do so.

S1917 Makes a crime committed against a police officer because of their status as a police officer, a hate crime.

S2034 Provides a \$500,000 benefit for police officers who are seriously disabled or die from injuries incurred in the line of duty.

S2226 Makes it a class E Felony to stalk a police or peace officer, and makes the crime of stalking a police or peace officer eligible for bail.

S6231 Enhances the penalty resisting arrest from a class A misdemeanor to a class E Felony. Adds resisting arrest to the list of E Felonies where a police officer may arrest someone, instead of being required to issue an appearance ticket.

S6285 Establishes May 15th as Police Memorial Day in New York State. Requires the Governor to appear in person at the fitting ceremony at the Police Memorial Wall and to read, out loud, the names of the police officers who died during the previous year from injuries incurred in the line of duty.

S6286 Unfounded and unsubstantiated complaints against first responders; This is necessary because of the repeal of Section 50-A, and would prohibit the disclosure of personnel records with regard to unsubstantiated or unfounded complaints made against first responders.

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#### RELATED LEGISLATION

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### **2021-S3463**

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- 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

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Establishes the crime of doxing a police officer or a peace officer

January 29, 2021

In Senate Committee Codes

Sponsored by Patrick M. Gallivan

Do you support this bill?

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## 2021-S3465

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- 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

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Establishes the crime of aggravated offering of a false accusation against a police officer

January 29, 2021

In Senate Committee [Codes](#)

Sponsored by [Patrick M. Gallivan](#)

Do you support this bill?

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## 2021-S2561

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- 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

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Relates to the classification of certain crimes relating to assaults on police officers

January 21, 2021

In Senate Committee [Codes](#)

Sponsored by [Daphne Jordan](#)

Do you support this bill?

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## 2021-S3208

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- 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

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Relates to aggravated harassment of a police officer

January 28, 2021

In Senate Committee [Codes](#)

Sponsored by [Robert G. Ort](#)

Do you support this bill?

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## 2021-S3464

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- 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

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Establishes the crime of failure to retreat

January 29, 2021

In Senate Committee [Codes](#)

Sponsored by [Patrick M. Gallivan](#)

Do you support this bill?

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## 2021-S1917

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- 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

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

January 16, 2021

In Senate Committee Veterans, Homeland Security and Military Affairs

Sponsored by Fred Akshar

Do you support this bill?

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## 2021-S2034

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- 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

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Relates to establishing a dangerous employment benefit for law enforcement officers

January 19, 2021

In Senate Committee [Civil Service and Pensions](#)

Sponsored by [Fred Akshar](#)

Do you support this bill?

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## 2021-S2226

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- 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

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Creates the crime of stalking a police officer or peace officer

January 20, 2021

In Senate Committee Codes

Sponsored by Pamela Helming

Do you support this bill?

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## 2021-S6231

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- 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

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Relates to resisting arrest

April 16, 2021

In Senate Committee [Codes](#)

Sponsored by [Andrew J. Lanza](#)

Do you support this bill?

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## 2021-S6285

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- 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

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Makes May 15th Police Memorial Day, a state holiday

April 20, 2021

In Senate Committee **Finance**

Sponsored by **Susan Serino**

Do you support this bill?

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## 2021-S6286

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- 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

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Relates to limiting certain disclosure of law enforcement disciplinary records

April 20, 2021

In Senate Committee Investigations and Government Operations

Sponsored by Susan Serino

Do you support this bill?