

**STATUS:****S2322** GRIFFO No Same as

ON FILE: 01/20/11 Penal Law

TITLE....Establishes the crime of aggravated harassment of a police officer or peace officer

01/18/11 REFERRED TO CODES

05/10/11 1ST REPORT CAL.559

05/11/11 2ND REPORT CAL.

05/16/11 ADVANCED TO THIRD READING

05/23/11 PASSED SENATE

05/23/11 DELIVERED TO ASSEMBLY

05/23/11 referred to codes

**VOTING:**[05/23/11](#)

S2322

Senate Vote

Aye: 44

Nay: 16

**Floor Votes:**

05/23/11 S2322 Senate Vote Aye: 44 Nay: 16

Nay Adams	Aye Addabbo	Aye Alesi	Aye Avella
Aye Ball	Aye Bonacic	Aye Breslin	Aye Carlucci
Aye DeFrancisco	Nay Diaz	Nay Dilan	Nay Duane
Nay Espaillat	Aye Farley	Aye Flanagan	Aye Fuschillo
Aye Gallivan	Aye Gianaris	Aye Golden	Aye Griffo
Nay Grisanti	Aye Hannon	Exc Hassell-Thompson	Nay Huntley
Aye Johnson	Aye Kennedy	Aye Klein	Nay Krueger
Exc Kruger	Aye Lanza	Aye Larkin	Aye LaValle
Aye Libous	Aye Little	Aye Marcellino	Aye Martins
Aye Maziarz	Aye McDonald	Nay Montgomery	Aye Nozzolio
Aye O'Mara	Aye Oppenheimer	Nay Parker	Nay Peralta
Nay Perkins	Aye Ranzenhofer	Aye Ritchie	Nay Rivera
Aye Robach	Aye Saland	Aye Sampson	Aye Savino
Nay Serrano	Aye Seward	Aye Skelos	Aye Smith
Nay Squadron	Aye Stavisky	Nay Stewart-Cousins	Aye Valesky
Aye Young	Aye Zeldin		

**SUMMARY:**

GRIFFO, DeFRANCISCO, LARKIN, LIBOUS, MAZIARZ, RANZENHOFER, SEWARD, YOUNG

Add S240.33, Pen L

Establishes the crime of aggravated harassment of a police officer or peace officer; provides for such an offense to be a class E felony.

CRIMINAL SANCTION IMPACT.

**BILL TEXT:**

# STATE OF NEW YORK

2322

2011-2012 Regular Sessions

## IN SENATE

January 18, 2011

Introduced by Sens. GRIFFO, DeFRANCISCO, LARKIN, MAZIARZ, RANZENHOFER,  
SEWARD -- read twice and ordered printed, and when printed to be  
committed to the Committee on Codes

AN ACT to amend the penal law, in relation to aggravated harassment of  
peace officers or police officers

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. The penal law is amended by adding a new section 240.33 to  
2 read as follows:  
3 § 240.33 Aggravated harassment of a police officer or peace officer.  
4 A person is guilty of aggravated harassment of a police officer or  
5 peace officer when, with the intent to harass, annoy, threaten or alarm  
6 a person whom he or she knows or reasonably should know to be a police  
7 officer or peace officer engaged in the course of performing his or her  
8 official duties, he or she strikes, shoves, kicks or otherwise subjects  
9 such person to physical contact.  
10 Aggravated harassment of a police officer or peace officer is a class  
11 E felony.  
12 § 2. This act shall take effect on the first of November next succeed-  
13 ing the date on which it shall have become a law.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD01673-01-1

### SPONSORS MEMO:

#### NEW YORK STATE SENATE INTRODUCER'S MEMORANDUM IN SUPPORT submitted in accordance with Senate Rule VI. Sec 1

BILL NUMBER: S2322

SPONSOR: GRIFFO

TITLE OF BILL:

An act to amend the penal law, in relation to aggravated harassment of  
peace officers or police officers

PURPOSE:

To establish the crime of aggravated harassment of a police officer or peace officer and make such crime a class E felony.

**SUMMARY OF PROVISIONS:**

The penal law is amended by adding a new section 240.33 establishing the crime of aggravated harassment of a police officer or peace officer. Section two is the effective date.

**JUSTIFICATION:**

Police officers all across this state put their lives on the line every day to protect the people of New York. New York State must establish laws and toughen existing laws that protect the police from becoming victims of criminals. Far too many law enforcement officers are being harassed, injured, even killed while honoring their commitment to protect and serve this state. The Legislature has a responsibility to do everything we can to protect our brave heroes, our police officers, from violent criminals. This legislation contributes to that premise.

**LEGISLATIVE HISTORY:**

2009-10: A.1068 - Referred to Assembly Codes Cmte.

**FISCAL IMPLICATIONS:**

None.

**EFFECTIVE DATE:**

This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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