



New York State YMCA
Youth And Government

WWW.YMCANYS.ORG

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate Liberty 2

Bill #:SL-12

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38

Sponsors: Princess D’Andrea, Jada Pickett, Patricia Motlhankana

An Act To enforce fine and or incarceration for police officers who fail to abide by the misconduct laws enforced in law 75 U.S.C. §§ 3

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

Purpose

The purpose of this bill is to enforce a fine and or incarceration to police officers and correctional officers who fail to abide by the misconduct laws enforced by the Department of Justice. This will ensure the safety of the public and those incarcerated and allow for police officers and correctional officers to focus on protecting the people as well as removing unjust officers from duty.

Summary of Provisions

Section 1

Incarceration: the state of being confined in prison; imprisonment.
Police Officers: A policewoman and policeman who are usually assigned to a specific patrol area where they would be responsible to enforce the law. They respond to emergencies, enforce traffic laws and would investigate complaints.
Correctional Officer: Officers responsible for the custody, safety, security, and supervision of inmates in a prison or any other correctional facility.

Section 2

75 U.S.C. §§ 3
Suspension pending determination of charges; penalties. Pending the hearing and determination of charges of incompetency or misconduct, ~~the officer or employee against whom such charges have been preferred may be suspended without pay for a period not exceeding thirty days. If this misconduct is based on account of such person being an alien, or by reason of his color or race,~~ Shall be fined a minimum of \$750 or face incarceration at a minimum of 18 months. If such officer or employee is found guilty of the charges, the penalty or punishment may consist of a reprimand, a fine not to exceed one hundred dollars to be deducted from the salary or wages of such officer or employee, suspension without pay for a period not exceeding two months, demotion in grade and title, or dismissal from the service; provided, however, that the time during which an officer or employee is suspended



New York State YMCA
Youth And Government

WWW.YMCANYS.ORG

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate Liberty 2

Bill #:SL-12

39 without pay may be considered as part of the penalty. If he is
40 acquitted, he shall be restored to his position with full pay for the
41 period of suspension less the amount of any unemployment insurance
42 benefits he may have received during such period. If such officer or
43 employee is found guilty, a copy of the charges, his written answer
44 thereto, a transcript of the hearing, and the determination shall be
45 filed in the office of the department or agency in which he has been
46 employed, and a copy thereof shall be filed with the civil service
47 commission having jurisdiction over such position. A copy of the
48 transcript of the hearing shall, upon request of the officer or employee
49 affected, be furnished to him without charge.

50 3-a. Suspension pending determination of charges and penalties
51 relating to police officers of the police department of the city of New
52 York. Pending the hearing and determination of charges of incompetency
53 or misconduct, a police officer employed by the police department of the
54 city of New York may be suspended without pay for a period not exceeding
55 thirty days. If such officer is found guilty of the charges, the police
56 Commissioner of such department may punish the police officer pursuant
57 to the provisions of sections 14-115 and 14-123 of the administrative
58 code of the city of New York.

59 **Justification**

60 This bill is important because police officers and correctional officers are put in
61 place to protect the public and to protect those who are incarcerated. However, as
62 of recent events, police brutality is becoming the norm in our society. The brutality
63 of inmates is a common act. This is unacceptable and something should be done
64 about it. Many people are becoming fearful of the people that are meant to protect
65 them. This bill will ensure that those who are wrongfully using their force and power
66 to abuse the public rather than save needs to have a punishment of their own.

67 **Fiscal Implications**

68 For law enforcement who fail to abide by the misconduct laws enforced by the
69 Department of Justice in a minor way (punch, slap, or kick) that does not cause
70 severe damage will face a fine of \$750 dollars.

71

72 **Environmental Implications**

73 There are no environmental implications for this bill.

74 **Effective Date**

75 This bill will be effective immediately.