

 KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

McKinney's Consolidated Laws of New York Annotated

Executive Law (Refs & Annos)

Chapter Eighteen. Of the Consolidated Laws

Article 35. Division of Criminal Justice Services (Refs & Annos)

McKinney's Executive Law § 845

§ 845. Central state registry of police officers and peace officers

Effective: October 16, 2021

[Currentness](#)

1. The division shall collect information to maintain, on a current basis, a registry of all police officers and peace officers in the state. Such registry shall contain, with respect to each officer, his or her name, date of birth, social security number, rank or title, employer, and date of successful completion of training required by [section 2.30 of the criminal procedure law](#) and [section two hundred nine-q of the general municipal law](#).

2. (a) Each head of a state or local agency, unit of local government, state or local commission, public authority or other organization which employs police officers or peace officers shall transmit to the division, no later than the fifteenth day of January annually, and in a form and manner prescribed by the division, a list containing the name of every police officer or peace officer employed by his or her agency, government, commission, authority or organization indicating with respect to each officer his or her date of birth, social security number, rank or title, employer, and whether he is employed full-time or part-time. In addition to such annual list, each such head, whenever officers have been newly appointed or have ceased to serve, shall immediately transmit to the division, in a form and manner prescribed by the division, a list containing the names of such officers which, in the instance of new appointees, shall include all the information required to be furnished in the annual listing.

(b) Whenever officers have ceased to serve, each such head shall immediately transmit to the division, in a form and manner prescribed by the division, notification that any such officer has ceased to serve due to a leave of absence, resignation, removal, removal for cause, or removal during a probationary period.

3. (a) The division shall establish rules and regulations to provide for a permanent system of identification for each police and peace officer, which shall include procedures for updating the registry upon an officer's failure to complete required training within the time limitations established in law or regulation.

(b) Such rules and regulations shall also establish procedures, in accordance with the state administrative procedure act, for a

process as described in this paragraph. When it shall appear to the commissioner or the commissioner's designee that a notification of the reason such an officer ceased to serve, received by the commissioner pursuant to paragraph (b) of subdivision two of this section, is inaccurate in a material respect, the commissioner shall attempt to resolve such discrepancy by contacting the head of the office that submitted such notification. If such informal efforts do not resolve the discrepancy promptly, the commissioner may issue a notice to such head and the officer who is the subject of such notification of an inquiry into the accuracy of such record. After notice and an opportunity for each to be heard, if the commissioner finds such record to be inaccurate with respect to such matter in a material respect, the commissioner shall provide notice of such determination to each of them and, pursuant to such determination, may correct such record. The commissioner shall maintain a clear documentary record of both the original record and the correction made.

4. Upon the failure or refusal to comply with the requirements of subdivision two of this section, the commissioner may apply to the supreme court for an order directed to the person responsible requiring compliance. Upon such application the court may issue such order as may be just, and a failure to comply with the order of the court shall be a contempt of court and punishable as such.

5. The division shall cooperate with the division of state police in making the information in the central registry of police and peace officers available for the purpose of verifying transactions involving firearms.

Credits

(Added L.1979, c. 482, § 3. Amended L.2010, c. 491, § 2, eff. Jan. 1, 2011; L.2021, c. 59, pt. BBB, § 10, eff. Oct. 16, 2021.)

Notes of Decisions (1)

McKinney's Executive Law § 845, NY EXEC § 845

Current through L.2021, chapters 1 to 429. Some statute sections may be more current, see credits for details.

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