

Amend Senate S2011, Assembly, A3011, A BUDGET BILL, AN ACT to amend the criminal procedure law and the executive law, in relation to criminal proceedings and the appointment of an independent monitor, to reporting requirements, and warrants...

Page	Line	Amendment
Page 1,	Line 7,	Before " <u>acts</u> " strike out " <u>criminal</u> "
Page 1,	Line 8,	After " <u>unarmed person,</u> " insert " <u>and such encounter resulted in the death of such unarmed person,</u> "
Page 1,	Line 12,	After " <u>shall</u> " insert " <u>provide all evidentiary materials gathered during the course of the investigation and, where applicable, the district attorney shall provide the grand jury minutes, all evidence presented to the grand jury, all grand jury exhibits, as well as any records and other evidence in the possession, custody and control of the district attorney,</u> "
Page 1,	Line 12,	After " <u>sixty days</u> " insert " <u>of his or her decision, but no more than six months after the date of such incident, to decline to initiate a grand jury proceeding, decline to request a grand jury to consider charges, or decline to present evidence to a grand jury,</u> "
Page 1,	Line 13 through 17	Strike out " <u>provide all evidentiary materials gathered during the course of the investigation and, where applicable, the district attorney shall provide the grand jury minutes, all evidence presented to the grand jury, all grand jury exhibits, as well as any records and other evidence in the possession, custody and control of the district attorney,</u> "
Page 1,	Line 20,	After " <u>gathered.</u> " insert " <u>In instances where a grand jury dismisses the charge or declines to return an indictment, the sixty day obligation to provide grand jury material to the independent monitor shall commence on the date the grand jury files a finding of dismissal with the court as required by subparagraph 1 of this section.</u> "
Page 2,	Line 24,	Before " <u>acts</u> " strike out " <u>criminal</u> "
Page 2,	Line 25,	After " <u>unarmed person,</u> " insert " <u>and such encounter resulted in the death of such unarmed person,</u> "
Page 2,	Line 44,	After " <u>report,</u> " insert " <u>in cases where a police officer as defined in subdivision thirty-four of section 1.20 of this chapter or a peace officer as defined in</u>

		<u>subdivision thirty-three of section 1.20 of this chapter, acting within his or her official capacity concerning acts that include the use of deadly physical force against an unarmed person, and such encounter resulted in the death of such unarmed person,</u> "
Page 2,	Line 45,	After " <u>case</u> " insert " <u>to a grand jury</u> "
Page 2,	Line 46 through 48,	Strike out " <u>where the subject of a grand jury proceeding is a police officer or peace officer acting within his or her official capacity concerning acts that include the use of deadly physical force against an unarmed person</u> "
Page 2,	Line 49 and 50,	After "dismiss the" strike out "indictment" and insert " <u>charges or decline to return an indictment</u> "
Page 3,	Line 41,	Before " <u>Reporting</u> " strike out " <u>837-u</u> " and insert " <u>837-s</u> "
Page 3,	Line 42,	After " <u>enforcement of</u> " insert " <u>certain</u> "
Page 3,	Line 44,	After " <u>division</u> " strike out " <u>with respect to</u> "
Page 3,	Line 45,	After "arrests made" insert " <u>or appearance tickets or summonses issued by a law enforcement officer</u> "
Page 3,	Line 45,	After "for" strike out " <u>non-criminal violations and misdemeanors.</u> " and after "for" insert " <u>offenses which do not require the taking of fingerprints pursuant to subdivision one of section 160.10 of the criminal procedure law.</u> "
Page 3,	Line 47,	After "necessary" insert " <u>including, but not limited to, the age, sex, race and ethnicity of the person arrested or to whom an appearance ticket was issued</u> "
Page 3,	Line 49,	After " <u>report</u> " strike out " <u>,annually,</u> "
Page 3,	Line 49,	After "division" insert " <u>any arrest-related death in the form and manner prescribed by the division. An arrest-related death is a death which occurs during law enforcement custody or an attempt to establish custody including, but not limited to, deaths caused by any use of force.</u> "
Page 3,	Line 50 through 55,	Strike out " <u>with respect to the number of instances where a police officer as defined in subdivision thirty-four of section 1.20 of the criminal procedure law or a peace officer as defined in subdivision thirty-</u>

		<u>three of section 1.20 of this chapter, engages in conduct that was a possible factor in the death of another during the enforcement of a violation or misdemeanor. Such reports shall be in the form and manner prescribed by"</u>
Page 4,	Line 1 through 11,	Strike out <u>"the division and shall contain such information as the division deems necessary.</u> <u>3. The chief of every police department, each county sheriff, and the superintendent of state police shall report, annually, to the division with respect to the total number of appearance tickets as defined in subdivision twenty-six of section 1.20 of the criminal procedure law and summonses as defined in subdivision twenty-seven of section 1.20 of the criminal procedure law. Such reports shall be in the form and manner prescribed by the division and shall contain information about the subject of each appearance ticket or summons including but not limited to his or her age, sex, race and ethnicity."</u>
Page 4,	Line 29,	After "law" insert "and shall apply only to acts that occurred on or after such effective date, provided, however, that section seven of this act shall take effect on the one hundred and eightieth day after it shall have become law."