



NEW YORK STATE SENATOR

Michael Gianaris

## As More Police Radio Communications Become Encrypted, Senate Deputy Leader Gianaris Announces “Keep Police Radio Public Act” To Preserve Media, Public Access To Law Enforcement Radio Chatter

MICHAEL GIANARIS November 20, 2023

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New Gianaris Legislation Would Require Law Enforcement Agencies to Protect Live Access for Media, Volunteer First Responders; Members of the Public Could Continue To Stream With 10 Minute Lag

NEW YORK, N.Y. – Senate Deputy Leader Michael Gianaris announced new legislation, the “Keep Police Radio Public Act”, which would require law enforcement agencies, including the NYPD, to preserve access to their radio communications for the press, volunteer first responders, and members of the public. Currently, the NYPD, Nassau County Police Department, and other departments across New York State are moving towards encrypted radios, which mean traditional police scanners would go dark – removing public access.

“Preserving access to law enforcement radio is critical for a free press, use by violence interrupters, and the freedoms and protections afforded by the public availability of this information,” said **Senate Deputy Leader Michael Gianaris**. “As encrypted radio usage grows, my legislation would strike the proper balance between legitimate enforcement needs and the rights and interests of New Yorkers.”

Already, the **NYPD announced** its decision to begin encrypting its radio frequencies. Despite the longstanding tradition of granting the public access, police departments like the NYPD, Nassau County Police Department, and others are moving towards the encryption of all of their radio communications, making it impossible for the press and public to have real-time access. Not having access to broadcasts in real-time would leave journalists to rely exclusively on statements released by law enforcement agencies.

Currently, most police departments have unencrypted radios and would not be impacted by this legislation unless they change their current radio systems. If a department moves to encrypt its radio, it must also develop a written policy for granting real-time access to duly authorized media organizations, as well as emergency service organizations that rely on these transmissions. The bill would also ensure that the public at large can continue to listen to police radio with no more than a ten-minute delay in streaming. Similar measures to keep police radio open have been enacted in Colorado and proposed in California.