



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senator Gallivan Introduces Law Enforcement Protection Legislation

JIM RANNEY July 23, 2020

| ISSUE: [LAW ENFORCEMENT](#)



Senator Patrick M. Gallivan (R-C-I, Elma) has introduced three bills and co-sponsored several others designed to better protect law enforcement officers across New York State. The package of legislation includes increased penalties for those who commit crimes against police officers.

"Law enforcement officers have one of the most difficult jobs in society and often face life and death situations," Senator Gallivan said. "The vast majority of these men and women are dedicated public servants, committed to protect our communities. This legislation provides additional support to police officers, sheriff's deputies, corrections officers and others. It also holds those individuals who target law enforcement officers or interfere with their ability to do their job accountable for their actions."

Senator Gallivan is a former New York State Trooper and twice-elected Sheriff of Erie County. He is the prime sponsor of the following bills:

- S.8822 - Criminal Doxing of a Police Officer or Peace Officer. Makes it a Class D Felony to dox a police officer or peace officer because of the officer's status as a police or peace officer, or to dox any other person because of that person's relationship to, or affiliation with, a police or peace officer.
- S.8821 - Failure to Retreat. Makes it a Class D Felony for any person to approach or remain within 25 feet of a police officer engaged in the performance of his or her duties when such person is ordered by a police officer to halt or retreat and such person fails to immediately do so.
- S.8820 - Aggravated Offering a False Accusation Against a Police Officer. Makes it a Class D Felony to falsely accuse a police officer or peace officer of wrongdoing in the performance of his or her duties, and create a private right of civil action for the officer against the false accuser.

Senator Gallivan is also a co-sponsor of seven other bills, which are included in the Police Protection Package. They include:

- Increasing the penalty for resisting arrest to a Class E felony
- Increasing assault on a police officer by one degree for the current crimes pertaining to assault upon a police officer, and make all of them crimes for which a judge could require the posting of bail.
- Creating a Class D felony of Aggravated Harassment of a Police or Peace Officer if an officer is struck by any substance or object including, but not limited to, bottles, rocks, bodily fluids, spittle, urine, seminal fluid, feces, flammable liquids or other noxious, hazardous or dangerous substances or objects.
- Making any crime committed against a police officer because of his or her status as a police officer a hate crime, with the concomitant increase in penalty as is currently provided with respect to hate crimes against members of other protected groups.
- Making it a Class E Felony to follow or surveille a police or peace officer for no legitimate purpose, whether such officer is on or off duty, or to approach within one hundred yards of the private residence or place of lodging of a police officer, without the consent of said officer, for reasons related to the officer's status or service as a police or peace officer, or for the purpose of intimidating the officer or the officer's family.
- Providing a \$500,000 benefit for police officers who are seriously disabled or die from injuries incurred in the line of duty.
- Making Police Memorial Day on May 15 a State holiday in honor of the more than 1500 police officers who have died in the line of duty in New York.

2019-S8822

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Establishes the crime of doxing a police officer or a peace officer

July 20, 2020

In Senate Committee [Rules](#)

Sponsored by [Patrick M. Gallivan](#)

Do you support this bill?

2019-S8821

-
- Introduced
 - ◦ In Committee Assembly
 - In Committee Senate
 - ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate
 - ◦ Passed Assembly
 - Passed Senate
 - Delivered to Governor
 - Signed By Governor
 -

Establishes the crime of failure to retreat

July 20, 2020

In Senate Committee [Rules](#)

Sponsored by [Patrick M. Gallivan](#)

Do you support this bill?

2019-S8820

- Introduced

- - In Committee Assembly
 - In Committee Senate

- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

-

Establishes the crime of aggravated offering of a false accusation against a police officer

July 20, 2020

In Senate Committee [Rules](#)

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Do you support this bill?