



Legislation Text

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Int. No. 1158

By Council Members Salaam, Avilés, Williams, Fariás, Gutiérrez, Riley, Krishnan, Stevens, Abreu, Brooks-Powers, Ayala, Restler, Ossé, Nurse and Banks

A Local Law to amend the administrative code of the city of New York, in relation to establishing procedures for blood alcohol level testing of a uniformed member of the police department whose discharge of a firearm results in physical injury to or death of an individual

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-198 to read as follows:

§ 14-198 Blood alcohol level testing. a. Definitions. For purposes of this section, the term “blood alcohol level testing” means administering a chemical test to measure the level of alcohol in an individual’s blood by testing such individual’s breath, blood, urine, or saliva.

b. The commissioner shall establish procedures under which the commissioner shall conduct blood alcohol level testing of each uniformed member of the department who, whether on or off duty, discharges a firearm within the city in a manner resulting in physical injury to or death of an individual.

c. At a minimum, the commissioner shall set forth in such procedures:

1. The time period in which such testing shall be conducted;

2. Exceptions to the applicability of such procedures when such uniformed member of the department or the individual who suffered injury as a result of such discharge needs time-sensitive medical care or hospitalization; and

3. Next steps pertaining to such uniformed member of the department after such testing.

d. The commissioner shall include the procedures established under subdivisions b and c of this section

in the department's patrol guide.

§ 2. This local law takes effect 120 days after it becomes law, except that the police commissioner shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

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