

Enhance Protections for Police Officers

When individuals fail to heed police authority they create situations that put police officers and bystanders in danger. There have been too many instances of police and citizens alike being injured or killed as a suspect is pursued. The people responsible -- who refuse to obey an officer's lawful commands -- need to be held accountable.

What new penalties would better protect police?

The ability of police officers to effectively carry out their responsibilities relies on the authority and respect commanded by the badge and uniform. Yet individuals who willfully ignore the lawful commands of a police officer, such as commands to stop or identify themselves, are not subject to any penalties.

Solution: Make it a violation to fail to comply with a police officer's lawful commands.

Criminals who strike, kick, or shove police officers, but do not cause serious physical injury, are only subject to a violation. Precedent exists for creating higher penalties. For example, aggravated harassment statutes exist for unwanted physical contact against corrections officers and against protected groups, in cases of bias.

Solution: Create an aggravated harassment statute for unwanted physical contact to police officers so that criminals are no longer allowed to strike a police officer without serious repercussions.

Suspects who flee police officers in a vehicle create particularly dangerous circumstances - traffic incidents are not only the leading cause of officer deaths, but the majority of people who die in police pursuits are innocent bystanders. Currently it is only an infraction to ignore a police officer's order to pull over, as long as you are not driving recklessly or 25 miles per hour or more above the speed limit.

Solution: Create a misdemeanor for a driver who fails to obey police orders to stop his vehicle, regardless of how fast or how recklessly the offender is driving.

Why do we need these changes?

- From 1999-2008, 46 police officers and civilians died in traffic crashes involving a police pursuit in New York; 20 of those people were in vehicles uninvolved in the chase or were bystanders.
- Current laws do not hold people accountable for failing to heed an officer's lawful commands or for subjecting an officer to unwanted physical contact.

What will these changes cost taxpayers?

- **Nothing.** The proposed laws would enhance penalties for suspects who flee police, both on foot or in a vehicle, and who harass police through unwanted physical contact.



New York State Law Enforcement Council

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OF THE CITY OF NEW YORK

COUNSEL
Robert T. Johnson, District Attorney
Bronx County
COORDINATOR
Leroy Frazer, Jr. Office of the District
Attorney New York County