



## Legislation Text

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**File #:** Int 0997-2023, **Version:** \*

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Int. No. 997

By Council Members Narcisse, Richardson Jordan, Restler, Hudson and Riley

A Local Law to amend the administrative code of the city of New York, in relation to requiring the NYPD to report on use of force incidents that include an officer displaying or unholstering a weapon

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 14-158 of the administrative code of the city of New York, as added by local law number 85 for the year 2016, is amended to read as follows:

§ 14-158. a. Definitions. As used in this section, the following terms have the following meanings:

**Excessive force.** The term “excessive force” means force that has been found by the department to be, considering the totality of the circumstances in which it is used, greater than that which a reasonable officer, in the same situation, would use under the circumstances that existed and were known to the officer at the time such force was used.

**Use of force incident.** The term “use of force incident” means any instance where a member of the department, while taking police action, responds to an incident or condition, and [takes]:

1. Displays or unholsters a weapon; or

2. Takes action in a manner intended to have an immediate effect on the body of another person, and consists of the following categories: (i) the use offhand strikes, foot strikes, forcible take-downs or the wrestling of the subject to the ground; (ii) the discharge of oleoresin capsicum spray; (iii) the deployment of a conducted electrical weapon; (iv) the use of a mesh restraining blanket to secure an individual; (v) the intentional striking of a person with any object, including a baton or other equipment; (vi) a police canine bite; and (vii) the use of physical force that is readily capable of causing death or serious physical injury, including

the discharge of a firearm.

§ 2. This local law takes effect 30 days after it becomes law.

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