

STATE OF NEW YORK

4866

2017-2018 Regular Sessions

IN ASSEMBLY

February 3, 2017

Introduced by M. of A. HOOPER -- Multi-Sponsored by -- M. of A. ZEBROW-SKI -- read once and referred to the Committee on Codes

AN ACT to amend the social services law, in relation to establishing electronic monitoring devices for victims of domestic violence demonstration programs in Nassau county; and providing for the repeal of certain provisions upon the expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The social services law is amended by adding a new section
2 63 to read as follows:

3 § 63. Electronic monitoring devices for victims of domestic violence;
4 demonstration program. 1. The social services district of the county of
5 Nassau shall authorize and implement a program which provides electronic
6 monitoring devices to adult and child victims of domestic violence, at
7 no cost to such victims, pursuant to the provisions of this section.

8 2. For the purposes of this section:

9 (a) "Electronic monitoring device" shall mean a device able to be worn
10 by an adult or child, which upon activation thereof notifies such local
11 emergency personnel as shall be determined by the social services
12 district that such adult or child is at risk of harm or has been
13 injured.

14 (b) "Victim of domestic violence" shall mean any adult or child who
15 has been the victim of any criminal offense committed by a member of the
16 same family or household, as defined in subdivision one of section
17 530.11 of the criminal procedure law.

18 3. Any and all electronic monitoring devices necessary to implement
19 the provisions of this section shall meet standards established by the
20 commissioner of children and family services, and shall be provided by
21 the office of children and family services to such social services
22 district.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 4. The social services district shall provide an electronic monitoring
2 device to each victim of domestic violence which any officer or employee
3 of such district reasonably believes may come into contact with a member
4 of the same household, as defined in subdivision one of section 530.11
5 of the criminal procedure law, who may commit a crime against such
6 victim.

7 5. Each such social services district shall cooperate and consult with
8 the appropriate law enforcement, health care and emergency-911 personnel
9 to establish and implement procedures for the response to and reporting
10 of activations of electronic monitoring devices pursuant to this
11 section.

12 6. Each such social services district shall, on or before the
13 fifteenth day of April, July, October and January, submit the following
14 information on the preceding calendar quarter to the office of children
15 and family services:

16 (a) the number of persons provided with electronic monitoring devices;
17 (b) the number of activations of such electronic monitoring devices;
18 (c) the number of activations for which the victim had reasonable
19 grounds to do so;

20 (d) the number of activations which were groundless;

21 (e) the grounds for each appropriate activation of an electronic moni-
22 toring device, and a brief description of the response to the activation
23 and the condition of the victim; and

24 (f) a summary of how well such program provides protection to victims
25 of domestic violence, and any recommendations on the implementation
26 thereof.

27 § 2. On or before March 1, 2019, the office of children and family
28 services shall issue a report to the governor and the legislature of its
29 findings on the effectiveness of electronic monitoring devices in
30 providing victims of domestic violence with increased protection against
31 violence. Such report shall summarize the information received pursuant
32 to subdivision 6 of section 63 of the social services law. The office of
33 children and family services shall also make recommendations on the
34 feasibility of implementing the electronic monitoring devices for
35 victims of domestic violence program on a statewide basis.

36 § 3. This act shall take effect January 1, 2018, except that:

37 a. section one of this act shall expire and be deemed repealed January
38 15, 2019; and

39 b. any rules and regulations, and any other actions necessary to
40 implement the provisions of this act on its effective date are author-
41 ized and directed to be completed on or before such date.