

1481

2017-2018 Regular Sessions

I N S E N A T E

January 9, 2017

Introduced by Sens. ORTT, MURPHY -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the executive law, in relation to the powers and duties of the advisory council of the justice center for the protection of people with special needs

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Section 561 of the executive law is amended by adding a new
2 subdivision 6-a to read as follows:
3 6-A. THE COUNCIL SHALL REVIEW THE MISSION AND OPERATIONS OF THE
4 JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS, THE
5 VALIDITY OF CLAIMS OF ABUSE AND NEGLECT AND THE APPROPRIATENESS OF
6 PROSECUTORIAL ACTIONS. THIS REVIEW SHALL ALSO INCLUDE BUT NOT BE LIMITED
7 TO:
8 (A) ENSURING THAT ALLEGATIONS OF ABUSE AND NEGLECT ARE VALID AND IF SO
9 HAVE BEEN PROMPTLY AND FULLY INVESTIGATED;
10 (B) REVIEWING COMMON STANDARDS AND REQUIREMENTS FOR INVESTIGATORS;
11 (C) ENSURING THAT INDIVIDUALS WHO ARE RESPONSIBLE FOR ABUSE AND
12 NEGLECT HAVE BEEN HELD ACCOUNTABLE;
13 (D) REVIEWING ALL PROSECUTORIAL CONDUCT AND ENSURING ALL PROSECUTIONS
14 WERE VALID AND WITHIN THE MISSION OF THE AGENCY;
15 (E) REVIEWING THE REGISTER OF NAMES OF INDIVIDUALS FOUND RESPONSIBLE
16 FOR ACTS OF ABUSE OR NEGLECT AND WHETHER SUCH INDIVIDUALS HAVE BEEN
17 BARRED FROM EMPLOYMENT IN THE CARE OF PEOPLE WITH SPECIAL NEEDS; AND
18 (F) REVIEWING INVESTIGATIONS AND PROCEDURES RELATED TO CASES INVOLVING
19 DEATH.
20 S 2. This act shall take effect on the sixtieth day after it shall
21 have become a law.

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

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