

STATE OF NEW YORK

3429--A

2021-2022 Regular Sessions

IN ASSEMBLY

January 26, 2021

Introduced by M. of A. COOK, JOYNER, DICKENS, GALEF, TAYLOR, LAVINE, HUNTER, DAVILA, WILLIAMS -- Multi-Sponsored by -- M. of A. EPSTEIN, GRIFFIN, HEVESI, HYNDMAN, SIMON -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to policies and procedures regarding death notifications

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

1 Section 1. Section 840 of the executive law is amended by adding a new
2 subdivision 7 to read as follows:

3 7. The council shall, in addition:

4 (a) Develop, maintain and disseminate, in collaboration with the
5 office of victim services, a model law enforcement death notification
6 policy setting forth recommended policies and procedures regarding
7 in-person death notifications to a deceased individual's next of kin.
8 Such policies and procedures shall make provisions for education and
9 training of current and new police officers in the planning, prepara-
10 tion, and delivery of in-person death notifications, including but not
11 limited to, policies and procedures for:

12 (i) the identification of the deceased individual, the collection of
13 accurate information regarding the deceased individual, and the iden-
14 tification of the deceased individual's next of kin; and

15 (ii) the actual delivery of in-person death notifications to the
16 deceased's next of kin within twenty-four hours following the identifi-
17 cation of such individual; provided, however, such policies and proce-
18 dures shall provide that, in the event that an in-person death notifica-
19 tion cannot be provided to the deceased individual's next of kin within
20 such timeframe, the failure or delay of such notification shall be docu-

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

LBD07720-02-2

1 mented and such notification shall instead be made as soon as practica-
2 ble.

3 (b) Recommend to the governor rules and regulations with respect to
4 the establishment and implementation on an ongoing basis of a training
5 program for all current and new police officers regarding the policies
6 and procedures established pursuant to this subdivision, along with
7 recommendations for periodic retraining of police officers.

8 (c) Disseminate the model law enforcement death notification policy
9 promulgated in accordance with this subdivision to all police depart-
10 ments in this state and develop a model training program for all current
11 and new police officers regarding the policies and procedures estab-
12 lished pursuant to such subdivision.

13 § 2. The executive law is amended by adding a new section 214-h to
14 read as follows:

15 § 214-h. Model law enforcement death notification policy. The super-
16 intendent, in collaboration with the office of victim services, shall,
17 for all members of the division of state police:

18 1. Develop, maintain and disseminate a model law enforcement death
19 notification policy setting forth recommended policies and procedures
20 regarding in-person death notifications to a deceased individual's next
21 of kin. Such policies and procedures shall make provisions for education
22 and training of current and new police officers in the planning, prepa-
23 ration, and delivery of in-person death notifications, including but not
24 limited to, policies and procedures for:

25 (a) the identification of the deceased individual, the collection of
26 accurate information regarding the deceased individual, and the iden-
27 tification of the deceased individual's next of kin; and

28 (b) the actual delivery of in-person death notifications to the
29 deceased individual's next of kin within twenty-four hours following the
30 identification of such individual; provided, however, such policies and
31 procedures shall provide that, in the event that an in-person death
32 notification cannot be provided to the deceased individual's next of kin
33 within such timeframe, the failure or delay of such notification shall
34 be documented and such notification shall instead be made as soon as
35 practicable.

36 2. Recommend to the governor rules and regulations with respect to the
37 establishment and implementation on an ongoing basis of a training
38 program for all current and new police officers regarding the policies
39 and procedures established pursuant to this section, along with recom-
40 mendations for periodic retraining of police officers.

41 3. Disseminate the model law enforcement death notification policy
42 promulgated in accordance with this section to all members of the state
43 police and develop a model training program for all current and new
44 police officers regarding the policies and procedures established pursu-
45 ant to such section.

46 § 3. This act shall take effect on the one hundred eightieth day after
47 it shall have become a law. Effective immediately, the addition, amend-
48 ment and/or repeal of any rule or regulation necessary for the implemen-
49 tation of this act on its effective date are authorized to be made and
50 completed on or before such effective date.