S T A T E O F N E W Y O R K

1048

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DESTITO -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to the establishment of community justice councils

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

Section 1. The executive law is amended by adding a new section 844-c to read as follows:

S 844-C. COMMUNITY JUSTICE COUNCILS. 1. A COMMUNITY JUSTICE COUNCIL SHALL BE ESTABLISHED IN EACH COUNTY. SUCH COUNCILS SHALL PROVIDE PUBLIC SAFETY POLICY DIRECTION AND DEVELOP COMMUNITY JUSTICE PLANS.

2. THE DIVISION SHALL REQUIRE, AS A CONDITION OF PAYMENT OF STATE AID TO A COUNTY OR MUNICIPAL PUBLIC SAFETY AGENCY, THAT A COMMUNITY JUSTICE PLAN BE SUBMITTED FOR THE COUNTY. THE COMMUNITY JUSTICE COUNCIL SHALL SUBMIT THE PLAN REQUIRED BY THIS SUBDIVISION. THE COUNCIL SHALL SUBMIT A REVISED PLAN TO THE DIVISION EACH ODD-NUMBERED YEAR BY A DATE DESIGNATED BY THE DIVISION. A PLAN MAY BE AMENDED AT ANY TIME WITH THE APPROVAL OF THE DIVISION. IN EVALUATING ANY APPLICATION OR PROPOSAL FOR EXPENDITURE OF STATE FUNDS IN SUPPORT OF PUBLIC SAFETY ACTIVITY IN A COUNTY, THE DIVISION SHALL CONSIDER THE EXTENT TO WHICH SUCH PROPOSED EXPENDITURE COMPLIES WITH OR ADVANCES THE GOALS AND PRIORITIES ARTICULATED IN THE COUNTY'S COMMUNITY JUSTICE PLAN.

3. A COMMUNITY JUSTICE PLAN REQUIRED UNDER THIS SECTION SHALL INCLUDE:

(A) A STATEMENT OF PUBLIC SAFETY GOALS AND PRIORITIES; AND

(B) A DESCRIPTION OF METHODS FOR MEASURING THE SUCCESS OF PROGRAMS FUNDED WITH STATE AID ADMINISTERED BY THE DIVISION.

4. A COMMUNITY JUSTICE COUNCIL SHALL CONSIST OF THE FOLLOWING PERSONS OR THEIR DESIGNEES:

(A) THE DISTRICT ATTORNEY;

(B) THE SHERIFF;

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

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(C) THE SENIOR COUNTY COURT JUDGE;
(D) A MUNICIPAL POLICE CHIEF CHOSEN BY THE POLICE CHIEFS OF THE MUNICIPALITIES OF THE COUNTY;
(E) AN ELECTED MEMBER OF A LEGISLATIVE BODY OF A MUNICIPALITY OF THE COUNTY, CHOSEN BY THE MEMBERS OF THE LEGISLATIVE BODIES OF ALL MUNICIPALITIES OF THE COUNTY;
(F) NOT MORE THAN TWO STATE LEGISLATORS ELECTED FROM THE COUNTY AND NOT MORE THAN ONE STATE SENATOR CHOSEN BY THE STATE LEGISLATORS ELECTED FROM THE COUNTY; AND
(G) AN ELECTED MEMBER OF THE BOARD OF TRUSTEES OF AN INDEPENDENT SCHOOL DISTRICT IN SUCH COUNTY, CHOSEN BY THE MEMBERS OF THE BOARDS OF TRUSTEES OF INDEPENDENT SCHOOL DISTRICTS LOCATED IN THE COUNTY.
5. THE COMMUNITY JUSTICE COUNCIL SHALL APPOINT A COMMUNITY JUSTICE TASK FORCE TO PROVIDE SUPPORT STAFF FOR THE DEVELOPMENT OF A COMMUNITY JUSTICE PLAN. THE TASK FORCE MAY CONSIST OF ANY NUMBER OF MEMBERS, BUT SHOULD INCLUDE:
(A) A CHIEF OF POLICE;
(B) A PROBATION ADMINISTRATOR;
(C) A SCHOOL SUPERINTENDENT;
(D) A REPRESENTATIVE OF THE COMMANDER OF THE NEW YORK STATE POLICE TROOP SERVING THE COUNTY;
(E) THE COUNTY COMMISSIONER OF MENTAL HEALTH;
(F) A CHEMICAL DEPENDENCY TREATMENT PROFESSIONAL;
(G) THE LOCAL OR REGIONAL REPRESENTATIVE OF THE DIVISION OF PAROLE;
(H) A LICENSED ATTORNEY WHO PRACTICES IN THE COUNTY AND WHOSE PRACTICE CONSISTS PRIMARILY OF CRIMINAL LAW;
(I) A COURT ADMINISTRATOR;
(J) A REPRESENTATIVE OF A COMMUNITY SERVICE ORGANIZATION THAT PROVIDES ADULT TREATMENT, EDUCATIONAL OR VOCATIONAL SERVICES;
(K) A REPRESENTATIVE OF A COMMUNITY SERVICE ORGANIZATION THAT PROVIDES TREATMENT, EDUCATIONAL OR VOCATIONAL SERVICES TO YOUTH;
(L) A REPRESENTATIVE OF AN ORGANIZATION THAT IS ACTIVELY INVOLVED IN ISSUES RELATING TO DEFENDANTS' RIGHTS;
(M) AN ADVOCATE FOR RIGHTS OF VICTIMS OF CRIME AND AWARENESS OF ISSUES AFFECTING VICTIMS;
(N) A REPRESENTATIVE OF A NEIGHBORHOOD WATCH OR NEIGHBORHOOD ASSOCIATION; AND
(O) A REPRESENTATIVE OF A COMMUNITY CRIME PREVENTION ORGANIZATION.
S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.