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

10571

I N A S S E M B L Y

April 7, 2010

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

AN ACT to amend the executive law, in relation to directing the municipal police training council to establish policies and procedures for the investigation of sex offenses and intervention by police officers into the commission of such offenses

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

Section 1. Section 840 of the executive law is amended by adding a new subdivision 4 to read as follows:

4. THE COUNCIL SHALL, IN ADDITION:

(A) DEVELOP, MAINTAIN AND DISSEMINATE, IN CONSULTATION WITH RAPE CRISIS CENTERS EXPERIENCED IN ASSISTING VICTIMS IN THIS STATE, WRITTEN POLICIES AND PROCEDURES CONSISTENT WITH APPLICABLE PROVISIONS OF THE FAMILY COURT ACT, DOMESTIC RELATIONS LAW, CRIMINAL PROCEDURE LAW AND THE PENAL LAW, REGARDING THE INVESTIGATION OF AND INTERVENTION BY NEW AND VETERAN POLICE OFFICERS IN CRIMES INVOLVING SEXUAL ASSAULT. SUCH POLICIES AND PROCEDURES SHALL MAKE PROVISIONS FOR EDUCATION AND TRAINING OF NEW AND VETERAN POLICE OFFICERS IN THE INVESTIGATION AND ENFORCEMENT OF CRIMES INVOLVING SEXUAL ASSAULT UNDER STATE LAW, INCLUDING BUT NOT LIMITED TO:

(1) TECHNIQUES FOR INTERVIEWING SEXUAL ASSAULT VICTIMS,

(2) FAIR TREATMENT STANDARDS FOR CRIME VICTIMS PURSUANT TO ARTICLE TWENTY-THREE OF THIS CHAPTER,

(3) EVIDENCE GATHERING AND EVIDENCE PRESERVATION, AND

(4) DISSEMINATION OF INFORMATION CONCERNING AVAILABILITY OF LOCAL SERVICES FOR THE VICTIMS OF SUCH CRIMES; AND

(B) RECOMMEND TO THE GOVERNOR, RULES AND REGULATIONS WITH RESPECT TO ESTABLISHMENT AND IMPLEMENTATION ON AN ONGOING BASIS OF A TRAINING PROGRAM FOR ALL CURRENT AND NEW POLICE OFFICERS REGARDING THE POLICIES AND PROCEDURES ESTABLISHED PURSUANT TO THIS SUBDIVISION, ALONG WITH RECOMMENDATIONS FOR PERIODIC RETRAINING OF POLICE OFFICERS.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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