

1310

2009-2010 Regular Sessions

I N S E N A T E

January 28, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the correction law, in relation to enacting the victim's information and security act

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

1 Section 1. This act shall be known and may be cited as the "victim's  
2 information and security act".  
3 S 2. Legislative intent and findings. The legislature hereby finds and  
4 determines that a need exists to establish a better system of communi-  
5 cation between the victim of crime, or family member if the victim is  
6 deceased, and the department of correctional services housing the person  
7 responsible for such victimization. An office of victim/witness services  
8 shall be created with a comprehensive mission of victim protection  
9 through the development of victim assistance programs within the depart-  
10 ment of correctional services.  
11 Such a program will provide the victim with a resource or clearing-  
12 house to turn to in order to have the most fundamental questions  
13 answered with respect to the inmate including where the inmate is  
14 confined, when the inmate will be released, what the inmate's conduct  
15 has been while in prison, when parole hearings will be held, if the  
16 inmate has escaped or if the inmate has died while in custody of the  
17 department of correctional services.  
18 The legislature further finds that crime victims are often subjected  
19 to additional victimization by increasing anxiety and even fear when  
20 what may seem simple but extremely important questions are left unan-  
21 swered. The purpose of the victim's information and security act is to  
22 establish within the department of correctional services an office of  
23 victim/witness services where crime victims, witnesses, family members  
24 and other individuals designated by law, can turn for answers in

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

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1 connection with the incarceration of their assailant. The victim/witness  
2 services office shall promote and coordinate victim's assistance  
3 programs throughout the state as a tool to protect victims and provide  
4 emotional and psychological stability.

5 S 3. The correction law is amended by adding a new article 6-B to read  
6 as follows:

7 ARTICLE 6-B

8 VICTIM'S INFORMATION AND SECURITY ACT

9 SECTION 162. OFFICE OF VICTIM/WITNESS SERVICES; ESTABLISHED.

10 162-A. POWERS AND DUTIES.

11 S 162. OFFICE OF VICTIM/WITNESS SERVICES; ESTABLISHED. 1. THERE IS  
12 HEREBY CREATED WITHIN THE DEPARTMENT AN OFFICE OF VICTIM/WITNESS  
13 SERVICES.

14 2. THE HEAD OF SUCH OFFICE SHALL BE THE DIRECTOR OF THE COMMUNITY  
15 OUTREACH PROGRAM.

16 3. IN CARRYING OUT ITS POWERS AND DUTIES UNDER THIS ARTICLE, THE  
17 OFFICE OF VICTIM/WITNESS SERVICES IS ORGANIZED AND OPERATED TO HAVE AS A  
18 PRIMARY PURPOSE AIDING VICTIMS, THEIR FAMILY MEMBERS, WITNESSES AND  
19 OTHERS DESIGNATED BY LAW IN ACCESSING INFORMATION PERTINENT TO THE PROB-  
20 ABLE RELEASE OR MOVEMENT OF THEIR ASSAILANT.

21 S 162-A. POWERS AND DUTIES. THE OFFICE SHALL HAVE THE FOLLOWING POWERS  
22 AND DUTIES:

23 1. TO IMPLEMENT PROGRAMS RELATING TO VICTIM/WITNESS NOTIFICATION OF  
24 INMATE INFORMATION.

25 2. TO ESTABLISH A CLEARINGHOUSE AND DEVELOP A SYSTEM OF COMMUNICATION  
26 BETWEEN THE VICTIM OF A CRIME, THEIR FAMILY MEMBERS, WITNESSES AND  
27 OTHERS AS DESIGNATED BY LAW AND THE DEPARTMENT.

28 3. TO INSTITUTE VICTIM ASSISTANCE PROGRAMS AND SERVICES WITHIN EACH  
29 DEPARTMENT FACILITY.

30 4. TO ESTABLISH VICTIM AWARENESS PROGRAMS FOCUSING UPON THE EFFECT AND  
31 IMPACT OF THE CRIME UPON THE VICTIM, THEIR FAMILY MEMBERS, WITNESSES AND  
32 OTHERS DESIGNATED BY LAW.

33 S 4. This act shall take effect on the first of April next succeeding  
34 the date on which it shall have become a law.