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

2640

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. PRETLOW, CLARK, GALEF, JOHN, WEINSTEIN, GREENE -- Multi-Sponsored by -- M. of A. DINOWITZ, GOTTFRIED, ORTIZ, PHEFFER -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to the investigation of sexual harassment complaints made by inmates

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

Section 1. Section 139 of the correction law is amended by adding a new subdivision 7 to read as follows:

7. NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR RULE TO THE CONTRARY, ANY GRIEVANCE MADE BY AN INDIVIDUAL IN THE CUSTODY OF THE DEPARTMENT ALLEGING SEXUAL HARASSMENT AGAINST AN EMPLOYEE OF THE DEPARTMENT SHALL BE INVESTIGATED BY THE ATTORNEY GENERAL. THE FINDINGS AND RECOMMENDATIONS OF THE ATTORNEY GENERAL SHALL BE FINAL AND THE DEPARTMENT SHALL TAKE THE NECESSARY AND REQUIRED ACTIONS TO IMPLEMENT SUCH FINDINGS AND RECOMMENDATIONS.

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

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

LBD02033-02-9