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

3771

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. AUBRY -- read once and referred to the Committee on Correction

AN ACT to amend the executive law, in relation to the collection of information regarding individuals confined in state correctional facilities or under jurisdiction of the division of parole

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

Section 1. Subdivision 1 of section 259-a of the executive law, as amended by section 11 of part D of chapter 56 of the laws of 2008, is amended to read as follows:

1. The division shall cause to be obtained and filed as soon as practicable, information as complete as may be obtainable with regard to each inmate who is received in an institution under the jurisdiction of the state department of correctional services. Such information shall include a complete statement of the crime for which the inmate has been sentenced, the circumstances of such crime, all presentence memoranda, the nature of the sentence, any orders of protection or temporary orders of protection issued against the inmate at the time of sentencing, the court in which he was sentenced, the name of the judge and district attorney and copies of such probation reports as may have been made as well as reports as to the inmate's social, physical, mental and psychiatric condition and history. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE DIVISION SHALL CAUSE TO BE OBTAINED AND FILED AS SOON AS PRACTICABLE COPIES OF ANY ORDERS OF PROTECTION CONCERNING EACH INMATE. FOR THE PERIOD SUCH INMATE IS UNDER THE JURISDICTION OF THE DIVISION WHILE ON PAROLE, CONDITIONAL RELEASE, PRESUMPTIVE RELEASE OR POST RELEASE SUPERVISION, THE DIVISION SHALL HAVE ACCESS TO ALL DATABASES MAINTAINED BY THE STATE OR ITS SUBDIVISIONS CONTAINING INFORMATION REGARDING THE ISSUANCE OF SUCH ORDERS OF PROTECTION THAT AFFECT SUCH INDIVIDUAL. THE DIVISION SHALL ACCESS SUCH INFORMATION SOLELY FOR THE PURPOSE OF THE SUPERVISION OF SUCH INDIVIDUAL. THE DIVISION SHALL PROMULGATE RULES AND REGULATIONS GOVERNING THE ACCESS TO SUCH INFORMATION WHICH SHALL INCLUDE THE RECORDING OF ALL INSTANCES OF SUCH ACCESS.

S 2. This act shall take effect immediately.

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

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