

938--A

Cal. No. 357

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DeMONTE, LENTOL, DESTITO, WEINSTEIN, GOTTFRIED, ALESSI, BING, CARROZZA, FIELDS, JOHN, ENGLEBRIGHT, LIFTON, MAGNARELLI, RAMOS, ROSENTHAL, PAULIN, JAFFEE, SPANO -- Multi-Sponsored by -- M. of A. CAHILL, CUSICK, LUPARDO, REILLY, STIRPE -- read once and referred to the Committee on Governmental Operations -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the executive law and the judiciary law, in relation to requiring certain training for police officers with respect to crimes involving sexual assault

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

1 Section 1. Section 840 of the executive law is amended by adding a new
2 subdivision 4 to read as follows:
3 4. THE COUNCIL SHALL PROMULGATE RULES AND REGULATIONS REQUIRING TRAIN-
4 ING AND INSTRUCTION FOR ALL POLICE OFFICERS WITH RESPECT TO CRIMES
5 INVOLVING SEXUAL ASSAULT. SUCH TRAINING AND INSTRUCTION, WHICH SHALL BE
6 DESIGNED AND PRESENTED IN CONSULTATION WITH RAPE CRISIS CENTERS EXPERI-
7 ENCED IN ASSISTING VICTIMS IN THIS STATE, SHALL INCLUDE, BUT NOT BE
8 LIMITED TO UNDERSTANDING RAPE AND SEXUAL ABUSE TRAUMA AND PSYCHOLOGICAL
9 ISSUES CONFRONTED BY SUCH CRIME VICTIMS, COMMON ATTRIBUTES OF OFFENDERS,
10 FAIR TREATMENT STANDARDS FOR CRIME VICTIMS PURSUANT TO ARTICLE
11 TWENTY-THREE OF THIS CHAPTER, EVIDENCE GATHERING AND PRESERVATION
12 ISSUES, INTERVIEW TECHNIQUES AND INFORMATION CONCERNING THE AVAILABILITY
13 OF LOCAL SERVICES FOR THE VICTIMS OF SUCH CRIMES. ALL NEW OFFICERS
14 SHALL RECEIVE SUCH TRAINING AND INSTRUCTION, AS PART OF THE BASIC
15 CURRICULUM AT THE STATE POLICE ACADEMY OR AT MUNICIPAL POLICE ACADEMIES,
16 AS APPLICABLE. THE COUNCIL SHALL PROMULGATE RULES AND REGULATIONS AS IT
17 DEEMS NECESSARY CONCERNING PERIODIC RETRAINING OF POLICE OFFICERS
18 REGARDING CRIMES INVOLVING SEXUAL ASSAULT.

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

1 S 2. The judiciary law is amended by adding a new section 219-c to
2 read as follows:
3 S 219-C. CRIMES INVOLVING SEXUAL ASSAULT; JUDICIAL TRAINING. THE
4 OFFICE OF COURT ADMINISTRATION SHALL PROVIDE TRAINING FOR JUDGES AND
5 JUSTICES AT THE NEW YORK STATE JUDICIAL INSTITUTE WITH RESPECT TO CRIMES
6 INVOLVING SEXUAL ASSAULT.
7 S 3. This act shall take effect on the one hundred twentieth day after
8 it shall have become a law; provided, however, that effective immediate-
9 ly, the addition, amendment and/or repeal of any rule or regulation
10 necessary for the implementation of this act on its effective date is
11 authorized and directed to be made and completed on or before such
12 effective date.