

6172

2009-2010 Regular Sessions

I N   S E N A T E

September 18, 2009

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Introduced by Sen. MONTGOMERY -- read twice and ordered printed, and  
when printed to be committed to the Committee on Rules

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 ASSEM-  
BLY, 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.  
19    S 2. The judiciary law is amended by adding a new section 219-c to  
20    read as follows:  
21    S 219-C. CRIMES INVOLVING SEXUAL ASSAULT; JUDICIAL TRAINING. THE  
22    OFFICE OF COURT ADMINISTRATION SHALL PROVIDE TRAINING FOR JUDGES AND  
23    JUSTICES AT THE NEW YORK STATE JUDICIAL INSTITUTE WITH RESPECT TO CRIMES  
24    INVOLVING SEXUAL ASSAULT.

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

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1     S 3. This act shall take effect on the one hundred twentieth day after  
2     it shall have become a law; provided, however, that effective immediate-  
3     ly, the addition, amendment and/or repeal of any rule or regulation  
4     necessary for the implementation of this act on its effective date is  
5     authorized and directed to be made and completed on or before such  
6     effective date.