

2349--A

Cal. No. 145

2011-2012 Regular Sessions

I N A S S E M B L Y

January 18, 2011

Introduced by M. of A. WEINSTEIN, BING, JAFFEE, MARKEY, P. RIVERA, ROSENTHAL, SCHIMEL, LAVINE, SPANO, ENGLEBRIGHT -- Multi-Sponsored by -- M. of A. CROUCH, PHEFFER -- read once and referred to the Committee on Governmental Operations -- passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the executive law, in relation to directing the municipal police training council to establish policies and procedures for the investigation of sex offenses and intervention by police officers into the commission of such offenses; and to amend the judiciary law, in relation to providing training for judges and justices on 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, IN ADDITION:
4 (A) DEVELOP, MAINTAIN AND DISSEMINATE, IN CONSULTATION WITH RAPE
5 CRISIS CENTERS EXPERIENCED IN ASSISTING VICTIMS IN THIS STATE, WRITTEN
6 POLICIES AND PROCEDURES CONSISTENT WITH APPLICABLE PROVISIONS OF THE
7 FAMILY COURT ACT, DOMESTIC RELATIONS LAW, CRIMINAL PROCEDURE LAW AND THE
8 PENAL LAW, REGARDING THE INVESTIGATION OF AND INTERVENTION BY NEW AND
9 VETERAN POLICE OFFICERS IN CRIMES INVOLVING SEXUAL ASSAULT. SUCH POLI-
10 CIES AND PROCEDURES SHALL MAKE PROVISIONS FOR EDUCATION AND TRAINING OF
11 NEW AND VETERAN POLICE OFFICERS IN THE INVESTIGATION AND ENFORCEMENT OF
12 CRIMES INVOLVING SEXUAL ASSAULT UNDER STATE LAW, INCLUDING BUT NOT
13 LIMITED TO:
14 (1) TECHNIQUES FOR INTERVIEWING SEXUAL ASSAULT VICTIMS,
15 (2) FAIR TREATMENT STANDARDS FOR CRIME VICTIMS PURSUANT TO ARTICLE
16 TWENTY-THREE OF THIS CHAPTER,
17 (3) EVIDENCE GATHERING AND EVIDENCE PRESERVATION, AND

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

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1 (4) DISSEMINATION OF INFORMATION CONCERNING AVAILABILITY OF LOCAL
2 SERVICES FOR THE VICTIMS OF SUCH CRIMES; AND

3 (B) RECOMMEND TO THE GOVERNOR, RULES AND REGULATIONS WITH RESPECT TO
4 ESTABLISHMENT AND IMPLEMENTATION ON AN ONGOING BASIS OF A TRAINING
5 PROGRAM FOR ALL CURRENT AND NEW POLICE OFFICERS REGARDING THE POLICIES
6 AND PROCEDURES ESTABLISHED PURSUANT TO THIS SUBDIVISION, ALONG WITH
7 RECOMMENDATIONS FOR PERIODIC RETRAINING OF POLICE OFFICERS.

8 S 2. The judiciary law is amended by adding a new section 219-c to
9 read as follows:

10 S 219-C. CRIMES INVOLVING SEXUAL ASSAULT; JUDICIAL TRAINING. THE
11 OFFICE OF COURT ADMINISTRATION SHALL PROVIDE TRAINING FOR JUDGES AND
12 JUSTICES WITH RESPECT TO CRIMES INVOLVING SEXUAL ASSAULT.

13 S 3. This act shall take effect on the ninetieth day after it shall
14 have become a law.