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

2362

2011-2012 Regular Sessions

I N A S S E M B L Y

January 18, 2011

Introduced by M. of A. GIBSON -- read once and referred to the Committee on Governmental Operations

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:

Section 1. Section 840 of the executive law is amended by adding a new subdivision 4 to read as follows:

4. THE COUNCIL SHALL PROMULGATE RULES AND REGULATIONS REQUIRING TRAINING AND INSTRUCTION FOR ALL POLICE OFFICERS WITH RESPECT TO CRIMES INVOLVING SEXUAL ASSAULT. SUCH TRAINING AND INSTRUCTION, WHICH SHALL BE DESIGNED AND PRESENTED IN CONSULTATION WITH RAPE CRISIS CENTERS EXPERIENCED IN ASSISTING VICTIMS IN THIS STATE, SHALL INCLUDE, BUT NOT BE LIMITED TO UNDERSTANDING RAPE AND SEXUAL ABUSE TRAUMA AND PSYCHOLOGICAL ISSUES CONFRONTED BY SUCH CRIME VICTIMS, COMMON ATTRIBUTES OF OFFENDERS, FAIR TREATMENT STANDARDS FOR CRIME VICTIMS PURSUANT TO ARTICLE TWENTY-THREE OF THIS CHAPTER, EVIDENCE GATHERING AND PRESERVATION ISSUES, INTERVIEW TECHNIQUES AND INFORMATION CONCERNING THE AVAILABILITY OF LOCAL SERVICES FOR THE VICTIMS OF SUCH CRIMES. ALL NEW OFFICERS SHALL RECEIVE SUCH TRAINING AND INSTRUCTION, AS PART OF THE BASIC CURRICULUM AT THE STATE POLICE ACADEMY OR AT MUNICIPAL POLICE ACADEMIES, AS APPLICABLE. THE COUNCIL SHALL PROMULGATE RULES AND REGULATIONS AS IT DEEMS NECESSARY CONCERNING PERIODIC RETRAINING OF POLICE OFFICERS REGARDING CRIMES INVOLVING SEXUAL ASSAULT.

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

S 219-C. CRIMES INVOLVING SEXUAL ASSAULT; JUDICIAL TRAINING. THE OFFICE OF COURT ADMINISTRATION SHALL PROVIDE TRAINING FOR JUDGES AND JUSTICES AT THE NEW YORK STATE JUDICIAL INSTITUTE WITH RESPECT TO CRIMES INVOLVING SEXUAL ASSAULT.

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

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