

STATE OF NEW YORK

1996

2017-2018 Regular Sessions

IN ASSEMBLY

January 17, 2017

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

AN ACT to amend the executive law, in relation to reporting of programs available to survivors of domestic violence

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 575 of the executive law is amended by adding a new subdivision 11 to read as follows:

11. Legislative intent. (a) The legislature hereby finds that domestic violence is a pervasive problem in New York state, with hundreds of thousands of incidents being reported each year. The legislature further finds that domestic violence forensic examiner programs have the potential to improve the state's ability to prosecute such crimes, and enhance the provision of treatment and services to victims. Therefore, the legislature finds it prudent and necessary to require a comprehensive evaluation of existing services and such forensic examiner programs to determine how to best reduce and address domestic violence within the state.

(b) On or before November thirtieth, two thousand nineteen, the executive director of the office for the prevention of domestic violence shall, in conjunction with the commissioner of health and the commissioner of criminal justice services, provide a report and recommendations to the governor, the temporary president of the senate, and the speaker of the assembly regarding the potential establishment of a statewide domestic violence forensic examiner program.

(c) Such report and recommendations shall include, but not be limited to:

(i) the types of treatment programs and resources currently available to survivors of domestic violence;

(ii) an evaluation of any existing domestic violence forensic examiner programs, including their impact on domestic violence prosecutions;

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

LBD02462-01-7

1 (iii) a list of criminal offenses for which prosecutions could be
2 aided by a statewide domestic violence forensic examiner program;

3 (iv) recommendations regarding potential practices and protocols that
4 could enhance the collection of evidence in domestic violence cases, and
5 improve the quality of treatment and services provided to victims; and

6 (v) an evaluation of fiscal costs associated with the establishment of
7 a statewide domestic violence forensic examiner program, including the
8 potential role of private insurance providers and recommended measures
9 to avoid subjecting local governmental units to any unfunded mandate.

10 § 2. This act shall take effect immediately.