# STATE OF NEW YORK

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3778

2017-2018 Regular Sessions

# IN ASSEMBLY

January 30, 2017
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Introduced  by M. of A. AUBRY -- read once and referred to the Committee
    on Judiciary

AN ACT to amend the executive law and the judiciary law, in relation  to
    requiring  the  division  of  criminal  justice  services to track the
    number of permanent orders of protection issued annually

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

1    Section 1. Section 837 of the executive law is amended by adding a new
2  subdivision 4-d to read as follows:
3    4-d. In cooperation with the chief administrator of the courts as well
4  as  any  other public or private agency, including law enforcement agen-
5  cies, collect and analyze statistical and all other information and data
6  with respect to the number of permanent orders of protection issued, the
7  number of permanent orders of protection reported to or investigated  by
8  the  division of state police, and all other police or peace officers as
9  violated, the number of persons arrested for violating  such  orders  of
10  protection,  any  additional  offenses for which the person was arrested
11  for while violating such orders of protection, the county  within  which
12  the arrest was made and the accusatory instrument filed, the disposition
13  of  the  accusatory  instrument filed, including, but not limited to, as
14  the case may be, dismissal, acquittal, the offense to which the  defend-
15  ant pled guilty, the offense the defendant was convicted of after trial,
16  and  the sentence imposed. The division shall include the statistics and
17  other information required by this  subdivision  in  the  annual  report
18  submitted to the governor and legislature pursuant to subdivision twelve
19  of this section.
20    § 2. Section 216  of  the  judiciary law is amended by adding a new
21  subdivision 5 to read as follows:
22    5. The chief administrator  of  the  courts  shall  collect  data  in
23  relation  to  the number of permanent orders of protection issued in all
24  courts pursuant to subdivision four-d of section eight  hundred  thirty-

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

1  **seven of the executive law, including but not limited to the following**
2  **information:**
3  **(a) The number of permanent orders of protection issued;**
4  **(b) The number of permanent orders of protection reported as violated;**
5  **(c) The number of persons arrested for violating such orders of**
6  **protection;**
7  **(d) Any additional offenses which such persons were arrested for while**
8  **violating such orders of protection;**
9  **(e) The county within which the accusatory instrument was filed;**
10 **(f) The disposition; and**
11 **(g) In the case of dismissal, the reasons therefor.**
12 **In executing this requirement, the chief administrator may adopt rules**
13 **requiring appropriate law enforcement, district attorneys and courts to**
14 **identify actions and proceedings involving orders of protection and,**
15 **with respect to such actions and proceedings, to report, in such form**
16 **and manner as the chief administrator shall prescribe, the information**
17 **specified herein.**
18 § 3. This act shall take effect on the one hundred twentieth day after
19 it shall have become a law; provided that the chief administrator of the
20 courts is authorized to promulgate any and all rules and regulations and
21 take any other measures necessary to implement this act on its effective
22 date on or before such date.