

STATE OF NEW YORK

5588

2019-2020 Regular Sessions

IN ASSEMBLY

February 13, 2019

Introduced by M. of A. MANKTELOW, WALSH, DeSTEFANO, GIGLIO, McDONOUGH --
Multi-Sponsored by -- M. of A. STEC -- read once and referred to the
Committee on Codes

AN ACT to amend the criminal procedure law, in relation to grand jury
proceedings and operation

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

1 Section 1. Paragraph (h) of subdivision 3 of section 190.25 of the
2 criminal procedure law, as amended by chapter 347 of the laws of 2014,
3 is amended to read as follows:

4 (h) A social worker, rape crisis counselor, psychologist [~~or other~~],
5 professional [~~providing~~] or other person to whom a child witness has
6 initially disclosed evidence concerning a crime as defined in this para-
7 graph, and who provides emotional support to a child witness twelve
8 years old or younger, or a social worker or informal caregiver, as
9 provided in subdivision two of section two hundred six of the elder law,
10 for a vulnerable elderly person as provided in subdivision three of
11 section 260.31 of the penal law, who is called to give evidence in a
12 grand jury proceeding concerning a crime defined in article one hundred
13 twenty-one, article one hundred thirty, article two hundred sixty,
14 section 120.10, 125.10, 125.15, 125.20, 125.25, 125.26, 125.27, 255.25,
15 255.26 or 255.27 of the penal law provided that the district attorney
16 consents. Such support person shall not provide the witness with an
17 answer to any question or otherwise participate in such proceeding and
18 shall first take an oath before the grand jury that he or she will keep
19 secret all matters before such grand jury within his or her knowledge.

20 § 2. This act shall take effect on the first of November next succeed-
21 ing the date on which it shall have become a law.

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

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