STATE OF NEW YORK

3920--A

2019-2020 Regular Sessions

IN SENATE

February 21, 2019

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the criminal procedure law, in relation to granting police officer status to certain members of the uniformed correction force of the New York city department of correction; and to amend the executive law, in relation to training programs for all members of the uniformed correction force of the New York city department of correction

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

Section 1. Subdivision 34 of section 1.20 of the criminal procedure law is amended by adding a new paragraph (w) to read as follows:

(w) A member of the uniformed correction force of the New York city department of correction who has completed a training program as detailed in subdivision six of section eight hundred forty of the executive law.

§ 2. Subdivision 25 of section 2.10 of the criminal procedure law, as amended by section 70 of subpart B of part C of chapter 62 of the laws of 2011, is amended to read as follows:

25. Officials, as designated by the commissioner of the department of corrections and community supervision pursuant to rules of the department, and correction officers of any state correctional facility or of any penal correctional institution**, except for correction officers of the New York city department of correction who have completed a training program as detailed in subdivision six of section eight hundred forty of the executive law**.

§ 3. Section 840 of the executive law is amended by adding a new subdivision 6 to read as follows:

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

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6. (a) The council shall, in addition, develop, maintain, and disseminate, in consultation with the commissioner of corrections and community supervision, written policies and procedures regarding a training program for members of the uniformed correction force of the New York city department of correction. Such training program and associated materials shall include the requirements set forth in subdivisions one and two-a of this section and shall include issues related to the mental health of inmates.

(b) The council shall, in addition, recommend to the governor rules and regulations with respect to the establishment of a training program for all current and new members of the uniformed correction force of the New York city department of correction regarding the policies and procedures established pursuant to this subdivision, along with recommendations for periodic retraining of corrections officers defined as police officers under paragraph (w) of subdivision thirty-four of section 1.20 of the criminal procedure law.

(c) The training requirements required by this subdivision shall apply to all corrections officers hired by the city of New York following the effective date of this subdivision. All members of the uniformed correction force of the New York city department of correction employed prior to such effective date shall receive such training within thirty-six months of such effective date, unless such officer is deemed to have previously received equivalent training as determined by the commissioner.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.