STATE OF NEW YORK

2442

2021-2022 Regular Sessions

IN ASSEMBLY

January 19, 2021

Introduced by M. of A. AUBRY, DeSTEFANO -- 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 Assembly, do enact as follows:

Section 1. Section 837 of the executive law is amended by adding a new subdivision 4-d to read as follows:

4-d. In cooperation with the chief administrator of the courts as well as any other public or private agency, including law enforcement agencies, collect and analyze statistical and all other information and data with respect to the number of permanent orders of protection issued, the number of permanent orders of protection reported to or investigated by the division of state police, and all other police or peace officers as violated, the number of persons arrested for violating such orders of protection, any additional offenses for which the person was arrested for while violating such orders of protection, the county within which the arrest was made and the accusatory instrument filed, the disposition of the accusatory instrument filed, including, but not limited to, as the case may be, dismissal, acquittal, the offense to which the defendant pled guilty, the offense the defendant was convicted of after trial, and the sentence imposed. The division shall include the statistics and other information required by this subdivision in the annual report submitted to the governor and legislature pursuant to subdivision twelve of this section.

§ 2. Section 216 of the judiciary law is amended by adding a new subdivision 6 to read as follows:

6. The chief administrator of the courts shall collect data in relation to the number of permanent orders of protection issued in all 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.

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seven of the executive law, including but not limited to the following information:

(a) The number of permanent orders of protection issued;

(b) The number of permanent orders of protection reported as violated;

(c) The number of persons arrested for violating such orders of protection;

(d) Any additional offenses which such persons were arrested for while violating such orders of protection;

(e) The county within which the accusatory instrument was filed;

(f) The disposition; and

(g) In the case of dismissal, the reasons therefor.

In executing this requirement, the chief administrator may adopt rules requiring appropriate law enforcement, district attorneys and courts to identify actions and proceedings involving orders of protection and, with respect to such actions and proceedings, to report, in such form and manner as the chief administrator shall prescribe, the information specified herein.

§ 3. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the chief administrator of the courts is authorized to promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date on or before such date.