

STATE OF NEW YORK

4973--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 27, 2023

Introduced by M. of A. ANDERSON, SOLAGES, MEEKS -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to requiring the office of victim services to provide notification of potential eligibility for awards following the death of a victim of a crime who died as a direct result of such crime

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

1 Section 1. Section 625-b of the executive law is amended by adding a
2 new subdivision 4 to read as follows:

3 4. In addition, the commissioner of the division of criminal justice
4 services, in cooperation with the office, shall develop and implement a
5 standardized procedure to be used by police officers, county sheriffs'
6 departments and state police officers whereby family members and depen-
7 dents who may be eligible to receive awards under this article are noti-
8 fied about the existence of such awards and the existence of any other
9 relevant services or programs.

10 § 2. Paragraph (a) of subdivision 7 of section 840 of the executive
11 law, as added by chapter 531 of the laws of 2022, is amended to read as
12 follows:

13 (a) Develop, maintain and disseminate, in collaboration with the
14 office of victim services, a model law enforcement death notification
15 policy setting forth recommended policies and procedures regarding
16 in-person death notifications to a deceased individual's next of kin.
17 Such policies and procedures shall make provisions for education and
18 training of current and new police officers in the planning, prepara-
19 tion, and delivery of in-person death notifications, including but not
20 limited to, policies and procedures for:

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

LBD08697-02-3

1 (i) the identification of the deceased individual, the collection of
2 accurate information regarding the deceased individual, and the iden-
3 tification of the deceased individual's next of kin; and

4 (ii) the actual delivery of in-person death notifications to the
5 deceased's next of kin within twenty-four hours following the identifi-
6 cation of such individual; provided, however, such policies and proce-
7 dures shall provide that, in the event that an in-person death notifica-
8 tion cannot be provided to the deceased individual's next of kin within
9 such timeframe, the failure or delay of such notification shall be docu-
10 mented and such notification shall instead be made as soon as practica-
11 ble[-]; and

12 (iii) providing information to the deceased individual's next of kin
13 regarding the existence of programs and support services available to
14 them.

15 § 3. Subdivision 1 of section 214-h of the executive law, as added by
16 chapter 531 of the laws of 2022, is amended to read as follows:

17 1. Develop, maintain and disseminate a model law enforcement death
18 notification policy setting forth recommended policies and procedures
19 regarding in-person death notifications to a deceased individual's next
20 of kin. Such policies and procedures shall make provisions for education
21 and training of current and new police officers in the planning, prepa-
22 ration, and delivery of in-person death notifications, including but not
23 limited to, policies and procedures for:

24 (a) the identification of the deceased individual, the collection of
25 accurate information regarding the deceased individual, and the iden-
26 tification of the deceased individual's next of kin; [and]

27 (b) the actual delivery of in-person death notifications to the
28 deceased individual's next of kin within twenty-four hours following the
29 identification of such individual; provided, however, such policies and
30 procedures shall provide that, in the event that an in-person death
31 notification cannot be provided to the deceased individual's next of kin
32 within such timeframe, the failure or delay of such notification shall
33 be documented and such notification shall instead be made as soon as
34 practicable[-]; and

35 (c) providing information to the deceased individual's next of kin
36 regarding the existence of programs and support services available to
37 them.

38 § 4. This act shall take effect on the thirtieth day after it shall
39 have become a law.