

STATE OF NEW YORK

6977

2023-2024 Regular Sessions

IN ASSEMBLY

May 9, 2023

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Codes

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:

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

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

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

10 25. Officials, as designated by the commissioner of the department of
11 corrections and community supervision pursuant to rules of the depart-
12 ment, and correction officers of any state correctional facility or of
13 any penal correctional institution, except for correction officers of
14 the New York city department of correction who have completed a training
15 program as detailed in subdivision eight of section eight hundred forty
16 of the executive law.

17 § 3. Section 840 of the executive law is amended by adding a new
18 subdivision 8 to read as follows:

19 8. (a) The council shall, in addition, develop, maintain, and dissem-
20 inate, in consultation with the commissioner of corrections and communi-
21 ty supervision, written policies and procedures regarding a training

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

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1 program for members of the uniformed correction force of the New York
2 city department of correction. Such training program and associated
3 materials shall include the requirements set forth in subdivisions one
4 and two-a of this section and shall include issues related to the mental
5 health of incarcerated individuals.

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

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

22 § 4. This act shall take effect on the one hundred eightieth day after
23 it shall have become a law. Effective immediately the addition, amend-
24 ment and/or repeal of any rule or regulation necessary for the implemen-
25 tation of this act on its effective date are authorized to be made and
26 completed on or before such date.