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:

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

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

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

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

(i) the identification of the deceased individual, the collection of accurate information regarding the deceased individual, and the identification of the deceased individual's next of kin; and

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

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

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

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

(a) the identification of the deceased individual, the collection of accurate information regarding the deceased individual, and the identification of the deceased individual's next of kin; [~~and~~]

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

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

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