§ 552. Organization of the justice center. 1. The justice center shall house the vulnerable persons' central register created in section four hundred ninety-two of the social services law and shall perform all of the necessary functions related to the receipt and acceptance of reports of allegations of reportable incidents involving vulnerable persons, the investigation of such accepted reports and the review of substantiated findings of abuse or neglect, as defined in subdivision eleven of section four hundred eighty-eight of the social services law, including conducting any disciplinary proceedings for state employees resulting from such substantiated findings (for state entities bound by collective bargaining, the disciplinary process established through collective bargaining shall govern). The justice center shall contain two separate units, headed by two distinct deputies, one responsible for the prosecution of criminal matters and one for the resolution of non-criminal matters. If, during an investigation, what appeared to be a non-criminal matter warrants consideration for criminal charges, the matter shall be promptly referred to the criminal unit. Information collected during such investigations may only be shared between such units in accordance with state and federal constitutional protections and laws and the secrecy provisions contained in article one hundred ninety of the criminal procedure law, unless so ordered by a court in a pending proceeding.

2. (a) The justice center also shall employ a special prosecutor and inspector general for the protection of people with special needs ("special prosecutor"), who shall be appointed by the governor. Other state agencies shall be required to make facilities available for office space throughout the state and to assist when requested with respect to the duties of the office. Pursuant to the provisions of this section, such special prosecutor shall have the duty and power: (i) to investigate and prosecute offenses involving abuse or neglect, as defined in subdivision eleven of section four hundred eighty-eight of the social services law, committed against vulnerable persons by custodians as defined in subdivision two of section four hundred eighty-eight of the social services law; and (ii) to cooperate with and assist district attorneys and other local law enforcement officials in their efforts against such abuse or neglect of vulnerable persons.

Provided that nothing herein shall interfere with the ability of district attorneys at any time to receive complaints, investigate and prosecute any suspected abuse or neglect or for any persons, whether a mandated reporter or not, to report a complaint to a district attorney or other appropriate law enforcement official. The special prosecutor may request and shall receive, from any agency, department, division, board, bureau or commission of the state, or any political subdivision thereof, cooperation and assistance in the performance of his or her duties, and may provide technical and other assistance to any district attorney or law enforcement official requesting assistance in the investigation or prosecution of abuse or neglect of vulnerable persons.

(b) The special prosecutor is empowered to apply for search warrants pursuant to article six hundred ninety of the criminal procedure law, and, except in exigent circumstances, shall give prior notice of the application to the district attorney of the county in which such a warrant is to be executed, and in such exigent circumstances shall give such notice as soon thereafter as is practicable; provided, however that the failure to give notice of a search warrant application to a district attorney shall not be a ground to suppress the evidence seized in executing the warrant. He or she may designate an assistant to exercise any of such powers.

(c) The special prosecutor or one of his or her assistants may, after consultation with the district attorney as to the time and place of such attendance or appearance, attend in person any term of the county court or supreme court having appropriate jurisdiction, including an extraordinary special or trial term of the supreme court when one is appointed pursuant to section one hundred forty-nine of the judiciary law, or appear before the grand jury thereof, for the purpose of managing and conducting in such court or before such jury a criminal action or proceeding concerned with an offense where any conduct constituting or requisite to the completion of or in any other manner related to such offense involved the abuse or neglect of a vulnerable person, as defined in subdivision eleven of section four hundred eighty-eight of the social services law. In such case, such special prosecutor or his or her assistant so attending may exercise all the powers and perform all the duties in respect of such actions or proceedings which the district attorney would otherwise be authorized or

required to exercise or perform.