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| Committee on Women and Gender Equity: | Brenda McKinney, *Counsel*Chloë Rivera, *Senior Policy Analyst*Eisha Wright, *Finance Unit Head* |
| Committee on Public Safety: | Joshua Kingsley, *Counsel*Matthew Thompson, *Policy Analyst*Nevin Singh, *Financial Analyst* |



The Council of the City of New York

**briefing paper and Committee report of**

**the Human Services and Justice Divisions**

Jeffrey Baker, *Legislative Director*

Andrea Vazquez, *Deputy Director, Human Services Division*

Brian Crow, *Deputy Director, Justice Division*

**Committee on Women and Gender Equity**

Hon. Darma V. Diaz, *Chair*

**Committee on Public Safety**

Hon. Adrienne Adams, *Chair*

**October 18, 2021**

**Oversight: NYPD Special Victims Division – Update**

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| **Int. No. 1488:** | By Council Members Rose, Rosenthal and Chin |
| **Title:** | A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to obtain information on the disposition of sex offense cases and requiring the mayor’s office of criminal justice to report on outcomes of sex offense cases |
| **Administrative Code:** | Adds new sections |
| **Preconsidered Int. No. 2439:** | By Council Member Rosenthal |
| **Title:** | A Local Law to amend the administrative code of the city of New York, in relation to domestic violence, sexual crimes, and human trafficking training for police officers |
| **Administrative Code:** | Adds a new section |

1. **Introduction**

On October 18, 2021, the Committee on Women and Gender Equity, chaired by Council Member Darma V. Diaz, and the Committee on Public Safety, chaired by Council Member Adrienne Adams, will hold a joint hearing examining the New York City (“NYC or “City”) Police Department (“NYPD” or “Department”) Special Victims Division (“SVD”). The Committees last held a joint hearing on this topic on April 9, 2018. Additionally, the Committee on Public Safety will hear Introduction (Int.) Number 1488, sponsored by Council Member Deborah Rose, in relation to requiring the police department to obtain information on the disposition of sex offense cases and requiring the mayor’s office of criminal justice to report on outcomes of sex offense cases; and Preconsidered Int. No. \_\_, sponsored by Council Member Helen Rosenthal, in relation to domestic violence, sexual crimes, and human trafficking training for police officers. Witnesses invited to testify include representatives from the NYPD, as well as local legal and social service providers, advocacy groups, and other interested stakeholders.

1. **Background**

Generally, sexual assault is a crime that disproportionately impacts women and girls, as well as individuals who identify as LGBTQ+.[[1]](#footnote-1),[[2]](#footnote-2) Victims[[3]](#footnote-3) can suffer varying degrees of physical and emotional trauma from sexual assault incidents, and many report experiencing further emotional harm when reporting incidents to police and engaging with the criminal legal process.[[4]](#footnote-4) Compared to other violent crimes, studies have found significantly low rates of survivors reporting sexual assault to law enforcement.[[5]](#footnote-5) Common reasons cited by survivors for non-reporting include embarrassment and stigma associated with the crime; fear that they will not be believed, or that the criminal justice system is ineffective; perception that the crime is not serious enough; uncertainty about what constitutes a sex crime; fear of reprisal; and belief it will not happen again.[[6]](#footnote-6) For victims who do report, many do not realize the strain that a criminal investigation (and trial) can have on them mentally, emotionally, physically, and financially.[[7]](#footnote-7) Consequently, they may ultimately no longer want to cooperate with the process and seek ways to disengage from the investigation, including recantation.[[8]](#footnote-8)

 In addition to the aforementioned sensitive nature of sex crime investigations, studies have revealed that response and investigation of many sexual assault reports by their police departments across the country reflected an intention to prove an allegation false from the outset;[[9]](#footnote-9) this example reflects how critical it is for police to be properly trained to understand and engage with victims of sexual assault, including checking implicit gender bias and utilizing specialized investigative techniques.[[10]](#footnote-10) The necessity of specialized investigative approaches to meet the unique needs of sexual assault survivors and aid the effectiveness of often-times complex investigations, has informed the establishment of special victims divisions within police departments nationwide to handle such cases.[[11]](#footnote-11)

1. **NYPD Special Victims Division**

In New York, the NYPD’s Special Victims Division (SVD) is responsible for investigating sex crimes and allegations of child abuse.[[12]](#footnote-12) As early as the 1960s, the NYPD began establishing dedicated units tasked with investigating sex crime and child abuse cases, with such cases handled by Special Victims Squads within each borough.[[13]](#footnote-13) To demonstrate the Department’s commitment to the “sensitive nature” of sexual assault and child abuse cases, SVD was established within the NYPD’s Detectives Bureau in 2003 to consolidate existing borough-based squads under one uniformed command.[[14]](#footnote-14)

*2010 Sex Crimes Working Group*

In April 2010, former NYPD Commissioner Raymond Kelly convened the Sex Crimes Working Group (“Working Group”) to study and report on the Department’s handling of crimes and investigations involving sex offenses.[[15]](#footnote-15) Significant findings of the report included: (1) that victims are often treated in an insensitive manner by officers who have little or no experience interacting with sex crimes victims; (2) that investigation and prosecution of sex crime cases present particular challenges due to juror skepticism and the critical role of pre-arrest evidence; and (3) that incomplete or inadequate investigations of rape and other serious felonies are not uncommon due to misclassification of sexual offenses and premature arrests.[[16]](#footnote-16)

In order to remedy deficiencies identified in SVD operations, the Working Group issued the following recommendations: (1) assign all sex crimes to SVD (previously SVD only handled felony complaints); (2) require SVD investigators, not patrol officers and/or those assigned to late night shifts, to respond to hospital calls related to alleged sexual assaults; (3) improve NYPD cooperation with prosecutors; (4) enhance training of SVD investigators and other officers or detectives likely to engage with sex crime complainants as first responders; (5) increase staffing for SVD; and (6) engage with stakeholders.[[17]](#footnote-17) Finally, the Working Group concluded that all investigators transferred to SVD should possess “advanced investigatory skills and experience” as sex crime investigations are “fraught with technical, legal, and investigatory complications, ranging from witnesses who [may] be reluctant to legal issues surrounding the collection of DNA.”[[18]](#footnote-18)

*2018 OIG-NYPD Report & NYPD Response*

In March of 2018, the NYC Department of Investigation’s Office of Inspector General for the NYPD (“OIG”), published an investigative report entitled: *An Investigation of NYPD’s Special Victims Division—Adult Sex Crimes* (herein “OIG Report”), examining the Department’s handling of adult sex crime investigations and management of SVD.

According to the OIG Report, the NYPD had significantly understaffed and under-resourced SVD “for at least nine years, despite recommendations from the [Working Group] in 2010 and consistent warnings raised by SVD leadership in the years since.”[[19]](#footnote-19) The OIG Report found that internal NYPD documents acknowledged that many sexual assault cases were improperly investigated due to limited staffing and resources,[[20]](#footnote-20) and that understaffing of the SVD resulted in the NYPD prioritizing “stranger rapes” and other “high profile” cases, while giving less attention and resources to “acquaintance rapes” and “misdemeanor sex crimes.”[[21]](#footnote-21) The OIG Report further revealed that the NYPD failed to appropriately respond to Working Group recommendations and concerns about increasing the number of sex crime investigators in SVD;[[22]](#footnote-22) and that the Department failed to implement Working Group recommendations pertaining to the level of investigatory skills and experience that SVD investigators should possess.”[[23]](#footnote-23)

Finally, in some instances, the OIG Report identified issues where SVD squad locations were found to be “cramped, unsanitary, and inappropriate for sex crime victims and investigations; case management software was inefficient, outdated, and insecure, potentially allowing confidential information to be publicly leaked; and not only inexperience, but inadequate training, caused issues for SVD recruits.”[[24]](#footnote-24) Documents obtained by the OIG further indicated that these issues were evident to SVD leadership, but remained unresolved due to a lack of resources for the unit.[[25]](#footnote-25)

In June of 2018, the NYPD published a formal response to the OIG Report that largely contested the findings of the OIG Report.[[26]](#footnote-26) Specifically, the NYPD asserted that: (1) the caseloads of SVD personnel were consistent with national standards and sufficient to ensure thorough investigations of all sex crimes;[[27]](#footnote-27) (2) staffing analysis models recommended by the OIG Report were unsuitable for large law enforcement agencies such as the NYPD;[[28]](#footnote-28) (3) SVD investigators were sufficiently experienced to investigate sex crimes and that sufficient promotional opportunities existed within SVD to attract strong recruits;[[29]](#footnote-29) and (4) SVD investigators received training that exceeded national standards.[[30]](#footnote-30) Ultimately, following the OIG Report, the NYPD agreed to: (1) increase staffing of the SVD adult sex crime units by 20 investigators; (2) end the practice of triaging certain sex crimes at local precincts and instead agreed to ensure early SVD involvement in all sex crime cases; and (3) improve facilities for adult sex crime units.[[31]](#footnote-31)

1. **Subsequent Council Legislation**

In October of 2018, the Council enacted a package of bills aimed at addressing some of the issues raised by the OIG Report. Namely, the local laws: provided increased oversight of SVD staffing; increased training for SVD investigators and patrol officers; and codified secure case management systems for SVD. Details of the enacted legislation are as follows.

Local Law 189 of 2018 requires NYPD to provide in-person training on responding to victims of sexual assault and harassment to all new recruits at the NYPD police academy; and require refresher training every two years for all uniformed members of service who regularly interact with crime victims.[[32]](#footnote-32)

Local Law 192 of 2018 requires the NYPD to utilize a secure case management system that can restrict access to SVD case files to individuals who require access in order to perform their job functions, and that creates a record every time an individual accesses a case file. Additionally, the NYPD is required to conduct quarterly audits to monitor who is accessing SVD case files, in particular anyone outside the SVD, and report the results of the audit to the Council within 60 days of the end of each quarter.[[33]](#footnote-33)

Local Law 193 of 2018, requires the NYPD to report on staffing and caseloads for SVD investigators, disaggregated by borough and unit within the SVD, and also disaggregated by the types of cases being handled. In addition, the report must include the factors utilized by the commissioner in determining staffing levels for the SVD.[[34]](#footnote-34)

Local Law 194 of 2018, requires the NYPD to develop a comprehensive training program for the SVD within six months, including a core set of training components, which include skill demonstrations and proficiency examinations, for all new SVD investigators. The bill also requires current SVD investigators to demonstrate proficiency in all of these core subjects within 18 months. Finally, the bill mandates annual reporting on the content, the number of officers participating, and any changes made to the program.[[35]](#footnote-35) Whether or to what extent the NYPD is in compliance with the requirements contained in these local laws is unclear. For example, the Department has acknowledged that all trainings for SVD investigators, as required by Local Law 194, ceased in March of 2020 due to COVID-19 and has not provided any further information, neither on whether such training will resume, nor whether all new Department recruits are receiving academy training on responding to victims of harassment and sexual assaults as required by Local Law 189.

1. **Conclusion**

At today’s hearing, the Committees expect to receive an update from the NYPD on recent changes to SVD implemented following the OIG Report in 2018. The Committee hopes to learn further about efforts to better resource the investigation of adult sex crimes; including the staffing of such units and upgrades to facilities. Additionally, the Committees will seek an information on the implementation of the relevant local laws enacted by Council in 2018, and evaluate the Department’s compliance with training requirements as mandated by Local Laws 189 and 194 of 2018. The Committees will seek further clarity from the NYPD regarding continued concerns expressed by advocates of the Department’s mishandling of sexual assault investigations, including efforts that the Department has made to maintain ongoing consultation with victims organizations and other stakeholders.

1. **Bill Analysis**

Int. No. 1488

 Int. No. 1488 would require the NYPD to obtain information on the disposition of sex offense cases. Additionally, the Mayor’s Office of Criminal Justice (MOCJ) would be required to compile information related to sex offense case disposition and issue an annual report on such outcomes. This law would take effect three months after it becomes law.

Preconsidered Int. No.

Preconsidered Int. No. \_\_\_, would require NYPD to train officers on responding to incidents involving domestic violence, sexual crimes, or human trafficking. The training would be developed by an interdisciplinary, interagency committee consisting of representatives of the NYPD, the Mayor’s Office to End Domestic and Gender-based Violence, MOCJ, domestic violence service providers, sexual assault service providers, and human trafficking service providers. In addition, the bill would add such service providers to the City’s domestic fatality review committee and require such committee to review the response to domestic violence fatalities. This law would take effect 90 days after it becomes law.

Int. No. 1488

By Council Members Rose, Rosenthal, Chin, Kallos and Brooks-Powers

..Title

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to obtain information on the disposition of sex offense cases and requiring the mayor’s office of criminal justice to report on outcomes of sex offense cases

..Body

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-176 to read as follows:

§14-176. Sex crime case disposition. a. Definitions.  Disposition. The term “disposition” means the judicial outcome of a criminal action, including but not limited to, dismissal, conviction, and acquittal.

Sex offense. The term “sex offense” means any alleged violation of article 130 of the penal law.

b. The department shall obtain information regarding the disposition of criminal cases arising from an arrest for a sex offense.

§2. Chapter 3 of Title 9 of the administrative code of the city of New York is amended by adding a new section 9-307 to read as follows:

§9-307. Sex crime reporting. a. Definitions. Disposition. The term “disposition” means the judicial outcome of a criminal action, including but not limited to, dismissal, conviction, and acquittal. Pending criminal appeals shall not otherwise alter the classification of case disposition.

Sex offense. The term “sex offense” means any alleged violations of article 130 of the penal law.

b. By January 30, 2019, and no later than 30 days after the end of each calendar year, the office shall submit to the speaker of council and make publicly available on the office’s website a report on arrests and dispositions for sex offense cases. Such report shall include but not be limited to:

1. the total number of arrests for sex offenses, disaggregated by top charge at arrest and borough;

2. the total number of prosecutions for sex offenses, disaggregated by top charge at the commencement of the criminal action as defined in section 100.05 of the criminal procedure law and borough;

3. the total number of indictments for sex offenses, disaggregated by top charge at indictment and borough; and

4. the disposition of criminal actions for sex offenses, disaggregated by the category of disposition as defined in subdivision a of this section or whether no disposition had been reached, top charge at time of disposition, and borough.

c. By April 30, 2019, and no later than 30 days after the end of each quarter, the department shall amend prior reports made pursuant to subdivision b of this section, with updated information pertaining to dispositions reached in the prior quarter.

§2. This local law takes effect 3 months after it becomes law.

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Preconsidered Int. No.

By Council Member Rosenthal

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to domestic violence, sexual crimes, and human trafficking training for police officers

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-192 to read as follows:

§ 14-192 Domestic violence, sexual crimes, and human trafficking training. a. Definitions. For the purposes of this local law, the following terms have the following meanings:

Domestic violence. The term “domestic violence” means acts or threats of violence, not including acts of self-defense, committed by a family or household member against another family or household member.

Family offense matter. The term “family offense matter” shall mean an act or threat of an act that may constitute disorderly conduct, harassment in the first degree, harassment in the second degree, aggravated harassment in the second degree, sexual misconduct, forcible touching, sexual abuse in the third degree, sexual abuse in the second degree as set forth in subdivision 1 of section 130.60 of the penal law, stalking in the first degree, stalking in the second degree, stalking in the third degree, stalking in the fourth degree, criminal mischief, menacing in the second degree, menacing in the third degree, reckless endangerment, strangulation in the first degree, strangulation in the second degree, criminal obstruction of breathing or blood circulation, assault in the second degree, assault in the third degree, an attempted assault, identity theft in the first degree, identity theft in the second degree, identity theft in the third degree, grand larceny in the fourth degree, grand larceny in the third degree or coercion in the second degree as set forth in subdivisions 1, 2 and 3 of section 135.60 of the penal law between spouses or former spouses, or between parent and child or between members of the same family or household.

Human trafficking. The term “human trafficking” shall mean an act or threat of an act that may constitute sex trafficking, as defined in section 230.34 of the penal law, or labor trafficking, as defined in section 135.35 and 135.36 of the penal law.

Sexual crimes. The term “sexual crimes” means any offense in article 130 of the penal law.

b. Training requirement. 1. Beginning July 1, 2022, each police officer shall complete no less than three hours of training on responding to incidents involving domestic violence, sexual crimes, or human trafficking. Such training, shall include, at a minimum: the dynamics of domestic violence, including abuser tactics of power and control; danger and lethality factors in domestic violence cases; the criminal provisions of the family protection domestic violence intervention act of 1994, codified in chapter 222 of the laws of 1994; how to determine the primary aggressor in a domestic violence incident; the elements of family offense matters; investigating domestic violence, sexual assault, human trafficking, and related cases; techniques of trauma-informed policing; and resources available to victims of domestic violence, sexual assault, and human trafficking, including shelter and nonresidential services available to victims of domestic violence, locating hospital-based sexual assault forensic exams, sexual assault, and human trafficking emergency resources. Such training shall be supplemented by trainings, conducted at least monthly, at roll-call on topics to enhance police response to domestic violence, sexual assault, and human trafficking.

2. Such training shall be developed by an interdisciplinary, interagency committee that shall meets at least quarterly and shall consist of:

(i) the commissioner of the mayor’s office to end domestic and gender-based violence;

(ii) the director of the mayor’s office of criminal justice;

(iii) the department’s commander of the special victims division;

(iv) the department’s chief of collaborative policing;

(v) the department’s chief of the domestic violence unit;

(vi) the department’s chiefs or deputy chiefs of the domestic violence bureau of each county;

(vii) two representatives of two domestic violence service providers, including at least one that serves immigrant communities, as appointed by the mayor;

(viii) two representatives of two sexual assault service providers, as appointed by the mayor; and

(ix) two representatives of two human trafficking service providers, as appointed by the mayor.

In making appointments from providers, that mayor shall consider appointees that are survivors of domestic violence, sexual assault, and/or human trafficking. Such committee shall be formed and begin meeting no later than December 1, 2021.

c. Reporting. Beginning February 1, 2023, and no later than each February 1 thereafter, the department shall report the following information concerning domestic violence, sexual crimes, or human trafficking training for the previous calendar year: the number of police officers trained, the dates of such trainings, and the curriculum used for each training session. Such report shall be posted on the department’s website and submitted to mayor, the speaker of the council, and the members of the committee formed pursuant to subdivision b.

§ 2. Paragraphs 2, 3, and 5 of subdivision d of section 19 of the New York city charter are amended to read as follows:

2. There shall be a domestic violence fatality review committee to examine [aggregate information relating to] domestic violence fatalities in the city of New York. Such committee shall develop recommendations for the consideration of the director of the office to end domestic and gender-based violence regarding the coordination and improvement of services for victims of domestic violence provided by agencies and private organizations that provide such services pursuant to a contract with an agency. The committee shall be convened by the director of the office to end domestic and gender-based violence, or his or her designee, and shall consist of the director of the office to end domestic and gender-based violence, or his or her designee, the commissioner of the police department, or his or her designee, the commissioner of the department of health and mental hygiene, or his or her designee, the commissioner of the department of social services/human resources administration, or his or her designee, the commissioner of the department of homeless services, or his or her designee and the commissioner of the administration for children's services, or his or her designee. The committee shall also consist of two representatives of programs that provide social or legal services to victims of domestic violence, including at least one program that serves immigrant victims; two representatives of sexual assault service providers; two representatives of two human trafficking service providers; [and] two individuals with personal experience with domestic violence. The director of the office to end domestic and gender-based violence, or his or her designee, shall serve as chairperson of the committee. At the discretion of the director of the office to end domestic and gender-based violence, the committee may also include a representative of any of the offices of the district attorney of any of the five boroughs and/or a representative of the New York city housing authority. Each member of the committee other than any member serving in an ex officio capacity shall be appointed by the mayor.

(i) The service of each member other than a member serving in an ex officio capacity shall be for a term of two years to commence ninety days after the effective date of the local law that added this subdivision. Any vacancy occurring other than by expiration of term shall be filled by the mayor in the same manner as the original position was filled. A person filling such a vacancy shall serve for the unexpired portion of the term of the member succeeded. New terms shall begin on the next day after the expiration date of the preceding term.

(ii) Members of the committee shall serve without compensation.

(iii) No person shall be ineligible for membership on the committee because such person holds any other public office, employment or trust, nor shall any person be made ineligible to or forfeit such person's right to any public office, employment or trust by reason of such appointment.

(iv) The committee shall meet at least four times a year.

3. The committee's work shall include, but not be limited to, reviewing statistical data relating to domestic violence fatalities; analyzing aggregate information relating to domestic violence fatalities, including, non-identifying data with respect to victims and perpetrators involved in domestic violence fatalities, such as gender, age, race and familial or other relationship involved, and, if available, religion, ethnicity and employment status; examining any factors indicating a high-risk of involvement in domestic violence fatalities; [and] developing recommendations for the director of the mayor's office to end domestic and gender-based violence regarding the coordination and improvement of services for victims of domestic violence provided by agencies and private organizations that provide such services pursuant to a contract with an agency; and for each domestic violence fatality, reviewing the response of the New York city police department and any other relevant public or private entities and whether such fatality could have been prevented.

5. The committee shall submit to the mayor and to the speaker of the city council, on an annual basis, a report including, but not limited to, the number of domestic violence fatality cases which occurred in the city of New York during the previous year; the number of domestic violence fatality cases reviewed by the committee during the previous year, if any; any non-identifying data with respect to victims and perpetrators involved in domestic violence fatalities, such as gender, age, race and familial or other relationship involved, and, if available, religion, ethnicity and employment status; any factors indicating a high risk of involvement in domestic violence fatalities; results of reviews of domestic violence fatalities; and recommendations regarding the coordination and improvement of services for victims of domestic violence provided by agencies and private organizations that provide such services pursuant to a contract with an agency.

§ 3. This local law takes effect in 90 days.

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1. Note: LGBTQ+ people use a variety of terms to identify themselves. This Briefing Paper generally utilizes the acronym LGBTQ+, which stands for “lesbian, gay, bisexual, transgender and queer.” *See* “Glossary of Terms” Human Rights Campaign (last visited Oct. 6, 2021), *available at* <https://www.hrc.org/resources/glossary-of-terms?utm_source=GS&utm_medium=AD&utm_campaign=BPI-HRC-Grant&utm_content=454854043827&utm_term=gay%20terms&gclid=Cj0KCQjwpdqDBhCSARIsAEUJ0hP4IjAsJNt8zhev_1LfPiGSrWEtYudyfN6ffuI_iWfD_9L_TAHhwIMaAvoEEALw_wcB>. [↑](#footnote-ref-1)
2. *See* Identifying and Preventing Gender Bias in Law Enforcement Response to Sexual Assault and Domestic Violence, U.S. Department of Justice (Dec. 14, 2015), 1, 5, *available at* <https://www.justice.gov/opa/file/799476/download>. [↑](#footnote-ref-2)
3. Note: Recognizing that individuals who have experienced sexual violence should be referenced in a matter based on their preference, for the purpose of this briefing paper, the terms “victim” and “survivor” will be used in accordance with the usage employed by the Rape, Abuse & Incest National Network (RAINN). As such, the term “victim” is applicable when referring to an individual recently affected by sexual violence; when discussing a particular crime; or when referring to aspects of the criminal justice system, while the term “survivor” is used to refer to an individual who has gone through the recovery process, or when discussing the short- or long-term effects of sexual violence. *See* “Victim or Survivor? Key Terms and Phrases” RAINN (last visited Oct. 6, 2021), *available at* <https://www.rainn.org/articles/key-terms-and-phrases>. [↑](#footnote-ref-3)
4. Dean G. Kilpatrick, Heidi S. Resnick, Kenneth J. Ruggiero, et al., Drug-Facilitated, Incapacitated, and Forcible Rape: A National Study, National Crime Victims Research & Treatment Center (Feb. 1, 2007), *available at* <https://www.ncjrs.gov/pdffiles1/nij/grants/219181.pdf>. [↑](#footnote-ref-4)
5. Cameron Kimble, Sexual Assault Remains Dramatically Underreported, Brennan Center for Justice (Oct. 4, 2018), *available at* <https://www.brennancenter.org/our-work/analysis-opinion/sexual-assault-remains-dramatically-underreported>. [↑](#footnote-ref-5)
6. Richard B. Felson and Paul-Philippe Paré, The Reporting of Domestic Violence and Sexual Assault by Nonstrangers to the Police, 67 J. Marriage & Fam. 597, 606 (Mar. 2005), *available at* <https://www.ojp.gov/pdffiles1/nij/grants/209039.pdf>. [↑](#footnote-ref-6)
7. *See* “False Allegations, Case Unfounding and Victim Recantations in the Context of Sexual Assault” Oregon State Attorney General’s Sexual Assault Task Force (Jan. 2008), *available at* <https://evawintl.org/wp-content/uploads/ORSATFPaperFalseReports.pdf>. [↑](#footnote-ref-7)
8. *Id.* [↑](#footnote-ref-8)
9. *See, e.g.,* Avalos, L. (2017). Policing rape complainants: When reporting rape becomes a crime. Journal of Gender, Race and Justice, 20, 459-508, *available at*[https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2973404#](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2973404); Capitol Offense: Police Mishandling of Sexual Assault Cases in the District of Columbia, Human Rights Watch (Jan. 24, 2013), *available at* <https://www.hrw.org/report/2013/01/24/capitol-offense/police-mishandling-sexual-assault-cases-district-columbia>; Chava Gourarie, How an Ohio Reporter Helped Convict more than 100 Rapists, COLUMBIA JOURNALISM R. (Sept. 2, 2015), *available at* http://www.cjr.org/ local\_news/rape\_kit\_reporting.php. [↑](#footnote-ref-9)
10. Heather Huhtanen, Gender Bias in Sexual Assault Response and Investigation, End Violence Against Women International (Oct. 2020), *available at* <https://evawintl.org/wp-content/uploads/TB-Gender-Bias-1-4-Combined.pdf>. [↑](#footnote-ref-10)
11. *See* “Pocket Guide for Police Response to Sexual Assault” New York State Coalition Against Sexual Assault (Jul. 22, 2003), *available at* <https://www.ncjrs.gov/ovc_archives/sartkit/tools/lawenforcement/Pocket%20Guide%20for%20Police%20Response%20to%20Sexual%20Assault.pdf.pdf>. [↑](#footnote-ref-11)
12. New York Police Department, *Detectives* (last visited Oct. 6, 2021), *available at* <https://www1.nyc.gov/site/nypd/bureaus/investigative/detectives.page>. [↑](#footnote-ref-12)
13. NYC Office of the Inspector General for the NYPD, *An Investigation of NYPD’s Special Victim Division- Adult Sex Crimes* (Mar. 27, 2018) (hereinafter “OIG Report”); *available at* <http://www1.nyc.gov/assets/doi/reports/pdf/2018/Mar/SVDReport_32718.pdf>. [↑](#footnote-ref-13)
14. *Id.* [↑](#footnote-ref-14)
15. OIG Report, *supra* note 13 at 6-7; *See* *also* CBS New York, *NYPD Accepts Advice On Handling Sex Offenses* (Dec. 22, 2010), *available at* <http://newyork.cbslocal.com/2010/12/22/nypd-accepts-advice-on-handling-sex-offenses/>. [↑](#footnote-ref-15)
16. OIG Report, *supra* note 13*.* [↑](#footnote-ref-16)
17. *Id.* [↑](#footnote-ref-17)
18. *Id.* [↑](#footnote-ref-18)
19. OIG Report, *supra* note 13 at 1. [↑](#footnote-ref-19)
20. OIG Report, *supra* note 13 at 9-16. [↑](#footnote-ref-20)
21. *Id.* at 13. [↑](#footnote-ref-21)
22. *Id.* [↑](#footnote-ref-22)
23. OIG Report, *supra* note 13 at 2. [↑](#footnote-ref-23)
24. *Id.* at 34. [↑](#footnote-ref-24)
25. *Id.* at 28. [↑](#footnote-ref-25)
26. NYPD, *NYPD Response to the Office of the Inspector General's Report on the Special Victims Division* (June 2018) (”NYPD Response”), *available at* [*https://www1.nyc.gov/assets/nypd/downloads/pdf/public\_information/oig-report-on-svd-response.pdf*](https://www1.nyc.gov/assets/nypd/downloads/pdf/public_information/oig-report-on-svd-response.pdf)*.* [↑](#footnote-ref-26)
27. *Id.* at 5-6. [↑](#footnote-ref-27)
28. *Id.* at 7. [↑](#footnote-ref-28)
29. *Id.* at 7-10. [↑](#footnote-ref-29)
30. *Id.* at 12-16. [↑](#footnote-ref-30)
31. *Id.* at 20-22. [↑](#footnote-ref-31)
32. Local Law 189 of 2018; available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3343743&GUID=281EF7A6-ACA5-4D1C-ABDF-C579B7D33FC8&Options=Advanced&Search>. [↑](#footnote-ref-32)
33. Local Law 192 of 2018; available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3464946&GUID=F0FDC8E0-A95E-4888-9407-94B676F79650&Options=Advanced&Search>. [↑](#footnote-ref-33)
34. Local Law 193 of 2018; available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3464948&GUID=3C0B5525-D34B-4281-9D0E-2012155C7ACC&Options=Advanced&Search>. [↑](#footnote-ref-34)
35. Local Law 194 of 2018; available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3464947&GUID=ED11975D-0EAE-4DA0-8439-7D289E26114C&Options=Advanced&Search>. [↑](#footnote-ref-35)