Legislation Details (With Text)

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Int. No. 1257

By Council Members Farías, Riley, Hanif and Hudson

A Local Law to amend the administrative code of the city of New York, in relation to requiring a training program for first responders and an awareness campaign regarding domestic violence-related traumatic brain injuries

Be it enacted by the Council as follows:

Section 1. Definitions. For purposes of this local law, the following terms have the following meanings:

City. The term “city” means the city of New York.

Designated citywide languages. The term “designated citywide languages” has the same meaning as set forth in subdivision a of section 23-1101 of the administrative code of the city of New York.

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 members.

First responder. The term “first responder” means a person with specialized training who is among the

first to arrive and provide assistance or incident resolution at the scene of an emergency including, but not limited to, law enforcement officers, paramedics, emergency health technicians, and firefighters.

§ 2. Training. No later than 180 days after the effective date of this local law, the city shall conduct training on the topic of traumatic brain injury, to be provided to first responders to incidents involving domestic violence, for the purpose of promoting awareness of the connection between domestic violence and traumatic brain injury, the symptoms of such injury, and effective methods of addressing the needs of individuals in an emergency who suffer from such injury. All first responders employed by the police department and the fire department shall complete such training. The department of health and mental hygiene shall offer such training to members of the public including first responders to incidents involving domestic violence, domestic violence service providers, and client advocates.

§ 3 Training content. The commissioner of health and mental hygiene, the police commissioner, and the fire commissioner shall collaborate to develop the training required by section two of this local law. Training sessions may be designed to meet the specific needs of training participants, or address issues of specific relevance to such participants, and at minimum shall include instruction in relation to the following:

a. The prevalence of traumatic brain injury cases among domestic violence survivors;

b. How to identify symptoms of traumatic brain injury;

c. How to respond to traumatic brain injury; and

d. The long-term health effects associated with repeated occurrences of traumatic brain injury.

§ 4. Campaign. No later than 180 days after the effective date of this local law, the department of health and mental hygiene, in collaboration with the mayor's office to end domestic and gender-based violence, shall conduct a public awareness campaign to destigmatize and increase understanding of the connection between domestic violence and traumatic brain injury, and the long-term health effects associated with repeated occurrences of traumatic brain injury. Such campaign shall include physical and digital materials. Such materials shall be made available in the designated citywide languages and posted on the city's website.

§ 5. Paragraph 1 of subdivision b of section 14-192, as added by local law number 49 for the year 2022, is amended to read as follows:

1. The department shall develop, and implement by September 30, 2022, a victim-centered, trauma-informed questioning training program designed to develop skills for the response to and investigation of incidents involving domestic violence, sexual crimes, or human trafficking. The training program shall include but not be limited to the following components: the dynamics of domestic violence, sexual assault, and human trafficking, including abuser tactics of power and control; danger and lethality factors in domestic violence, sexual assault, and human trafficking cases; the criminal law 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 family offenses; the offense of endangering the welfare of a child; the offenses of assault in the first degree, manslaughter in the first and second degrees, criminally negligent homicide, and murder in the second degree, together with the defense of justification and the role of trauma in victims' acts of self-defense; the importance of avoiding expressions of skepticism, victim-blaming, and minimizing of the offense in early communications with victims; how to recognize signs of drug-facilitated sexual assault and preserve crucial evidence thereof; the overlap among domestic violence, sexual assault and human trafficking; victim-centered, trauma-informed questioning in domestic violence, sexual assault, human trafficking, and related cases; the effects of trauma on victims; the long-term health implications of physical violence including, but not limited to, traumatic brain injury; techniques of trauma-informed policing; the resources available to victims of domestic violence, sexual assault, and human trafficking, including shelter and nonresidential services, locating hospital-based sexual assault forensic exams, and domestic violence, sexual assault, and human trafficking emergency resources; and any other training deemed relevant by the commissioner, except that the commissioner may eliminate a training component or replace a training component with an alternative component in order to provide a comprehensive victim-centered, trauma-informed questioning training program.

§ 6. This local law takes effect immediately.

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