



Legislation Text

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Int. No. 785-A

By Council Members Rosenthal, Levine, Richards, Cumbo, Kallos, Lander, Constantinides, Gibson, Rose, Holden, Ayala, Levin and Miller

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York city police department to develop a comprehensive special victims training program

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 14-180 to read as follows:

§ 14-180 Special victims training.

a. Definitions. For the purposes of this section, the following terms have the following meanings:

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

Special victims division. The term “special victims division” means any division, unit, or other entity within the department that primarily investigates the violation of article 130 of the penal law.

Special victims investigator. The term “special victims investigator” means any member of the department whose primary duties include investigating sexual crimes and who regularly interacts with the victims of sexual crimes.

b. Special victims training program. The department, after considering information from outside experts, shall develop and implement a victim-centered special victims training program designed to develop skills related to the investigation of sexual crimes and the specific needs of victims of sexual crimes. The curriculum shall consider nationally recognized best practices and factors contributing to the additional complexity of sexual assault investigations including the depth of victimization, the negative social

consequences of sexual assault, the trauma and neurobiological damage inflicted by sexual assault, the complexity of victim management, the falsity or partially truthful disclosure of complaints, the large unreported rate of sexual assaults and any other training deemed relevant to sexual assault cases by the commissioner. Such program shall include the following training components: the Forensic Experiential Trauma Interview method, specialized investigative training for sexual assault cases including non-stranger sexual assault and controlled communications, district attorney based training related to legal evidentiary standards and penal law article 130 crimes, Sexual Assault Forensic Examiner training, Sex Offender Registration Act training, hospital based training, victim advocate based training and any other training courses currently offered by the NYPD for special victims investigators including but not limited to DNA evidence, investigation of complex cases, drug-facilitated sexual assault, neurobiology of sexual assault, rape crisis counselor training, peer based investigative process training, abusive head trauma training and any other training deemed relevant to sexual assault cases 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 comprehensive victim-centered training. Such program shall include a proficiency examination or demonstration for each training component and shall be of a length the commissioner determines is sufficient to ensure that special victims investigators are capable of utilizing such skills.

c. Training requirement. All newly assigned special victims investigators shall complete the special victims training program defined in subdivision b of this section and demonstrate proficiency in subject matters covered by such program prior to engaging with victims of sexual crimes, however, such investigators may engage with victims prior to completion of such program if such engagement is under the supervision of an experienced investigator, or supervisor, or in circumstances where no experienced investigator or supervisor is available. Any special victims investigators assigned to the special victims division as of the effective date of the local law that added this section must demonstrate proficiency in subject matters covered by such program within one year of such date.

d. Special victims division training report. On January 30, 2020, and every January 30 thereafter, the department shall post on its website a report indicating the training components of the special victims training program defined in subdivision b of this section including the instructors, purpose, length, and format of each training component, the specific reasons for eliminating or replacing any training component, and the number of members of the service during the previous calendar year that: (i) participated in such program, (ii) failed to demonstrate proficiency required pursuant to subdivision c of this section on their first attempt, disaggregated by subject matter, and (iii) successfully demonstrated proficiency on all subject matters required pursuant to subdivision c of this section. Such report shall also include any experts consulted pursuant to subdivision b of this section in developing such training.

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

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