



Legislation Text

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Int. No. 1491

By Council Members Rosenthal, Brannan, Chin, Lander, Yeger and Gennaro

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of correction to develop a comprehensive training program for investigation of sexual crimes

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-157 to read as follows:

§ 9-157 Sexual crimes investigation training. a. Definitions. For the purposes of this section, the term “sexual crimes” means any offense specified in article 130 of the penal law.

b. Sexual crimes investigation training program. The commissioner, after considering information from outside experts, shall develop and implement a victim-centered sexual crimes investigation 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 include nationally recognized best practices and factors contributing to the complexity of sexual crimes investigations, including the depth of victimization, the negative social consequences for victims of sexual crimes, the trauma and neurobiological damage inflicted by sexual crimes, the complexity of victim management, the falsity or partially truthful disclosure of complaints, the large unreported rate of sexual crimes and any other training deemed relevant to sexual crimes cases by the commissioner. Such program shall include the following training components: the Forensic Experiential Trauma Interview method, specialized investigative training for sexual crimes cases in confinement settings, Sexual Assault Forensic Examiner training, victim advocate based training and any other training courses currently offered by the department relating to the investigation of sexual crimes 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 that the commissioner determines is sufficient to allow investigators to develop proficiency in utilizing such skills.

c. Training requirement. All newly assigned department investigators shall complete the sexual crimes investigation training program defined in subdivision b of this section and shall be required to demonstrate proficiency in subject matters covered by such program before engaging with victims of sexual crimes; however, such investigators may engage with victims before completing 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 department employees assigned as investigators 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, and any department employees assigned as investigators after such effective date must demonstrate such proficiency within one year of assignment.

d. Training report. No later than January 30, 2020, and every January 30 thereafter, the commissioner shall post on the department's website a report setting forth the training components of the sexual crimes investigation 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 department investigators 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 180 days after it becomes law, except that the commissioner of

correction shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

NAB
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