



Legislation Text

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Int. No. 1143

By Council Members Crowley, Rose and Rodriguez

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting inmate contact by staff of the department of correction accused of sexually abusing inmates

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 9-141 to read as follows:

9-141 Prohibitions regarding staff accused of sexually abusing inmates.

a. Definitions. As used in this section, the following terms have the following meanings:

Inmate. The term “inmate” means any inmate in the custody of the department, regardless of whether such inmate has been sentenced.

Sexual abuse. The term “sexual abuse” has the same meaning as set forth in section 115.6 of title 28 of the code of federal regulations, or successor regulation, promulgated pursuant to the federal prison rape elimination act of 2003.

Staff. The term “staff” means anyone other than an inmate who works at a facility operated by the department.

b. Prohibition. Staff accused of sexually abusing an inmate shall be prohibited from direct access to all inmates while such allegations are investigated.

c. Exceptions. The department may permit exceptions to the prohibition established in subdivision b of this section if the inmate alleging sexual abuse has made repeated unfounded allegations of sexual abuse while in the custody of the department.

§ 2. This local law takes effect 60 days after it becomes law.

LS # 7188

BC

4/1/2016