



Legislation Text

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Int. No. 2439

By Council Members Rosenthal, Brooks-Powers and Ayala

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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