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New York Consolidated Laws, Executive Law - EXC § 840.

Functions, powers and duties of council

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1. The council may recommend to the governor rules and regulations with respect to:

(a) The approval, or revocation thereof, of police training schools administered by municipalities;

(b) Minimum courses of study, attendance requirements, and equipment and facilities to be required at approved municipal police training schools;

(c) Minimum qualifications for instructors at approved police training schools;

(d) The requirements of minimum basic training which police officers appointed to probationary terms shall complete before being eligible for permanent appointment, and the time within which such basic training must be completed following such appointment to a probationary term;

(e) The requirements of minimum basic training which police officers not appointed for probationary terms but appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent appointment, and the time within which such basic training must be completed following such appointment on a non-permanent basis;

(f) The requirements of minimum basic training which peace officers must complete before being eligible for certification as peace officers, pursuant to section 2.30 of the criminal procedure law (https://1.next.westlaw.com/Link/Document/FullText?findType=L&originalContent=document&transitionType=DocumentItem&pubNum=100066&refType=LQ&originalDoc=126e1de80ca11e8964de4

(g) Categories or classifications of advanced in-service training programs and minimum courses of study and attendance requirements with respect to such categories or classifications; and

(h) Exemptions from particular provisions of this article in the case of any city having a population of one million or more, or in the case of the state department of corrections and community supervision if in its opinion the standards of police officer or peace officer training established and maintained by such city or department are higher than those established pursuant to this article, or revocation in whole or in part of such exemption, if in its opinion the standards of police officer or peace officer training established and maintained by such city or department are lower than those established pursuant to this article.

(i) The establishment, in cooperation with the division of state police, of a formalized consumer product tampering training program for all law enforcement personnel.

(j) (1) Development, maintenance and dissemination of written policies and procedures pursuant to title six of article six of the social services law and applicable provisions of article ten of the family court act, regarding the mandatory reporting of child abuse or neglect, reporting procedures and obligations of persons required to report, provisions for taking a child into protective custody, mandatory reporting of deaths, immunity from liability, penalties for failure to report and obligations for the provision of services and procedures necessary to safeguard the life or health of the child; (2) establishment and implementation on an ongoing basis, of a training program for all current and new police officers regarding the policies and procedures established pursuant to this paragraph, and (3) establishment of a training program for police officers whose main responsibilities are juveniles and the laws pertaining thereto, which training program shall be successfully completed before such officers are accredited pursuant to section eight hundred forty-six-h (https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContent=document&transitionType=DocumentItem&pubNum=1000078&refType=L&originatingDoc=126e22ca0ccaf11e8964de4;

(k) Development, maintenance and dissemination, in consultation with the department of agriculture and markets, of written policies and procedures pursuant to animal cruelty and protection laws, including, but not limited to, article twenty-six of the agriculture and markets law, section 352.3 of the family court act (https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContent=document&transitionType=DocumentItem&pubNum=1000093&refType=L&originatingDoc=126e253b0ccaf11e8964de4;

(l) Exemptions from particular provisions of this article in the case of peace officers appointed by the superintendent of state police if in its opinion the standards of peace officer training provided by the division of state police exceed those established pursuant to this article.

(m) Establishment and implementation on an ongoing basis, of a training program for all current and new police officers and peace officers regarding the policies and procedures established pursuant to paragraph (k) of this subdivision.

2. The council shall promulgate, and may from time to time amend, such rules and regulations prescribing height, weight and physical fitness requirements for eligibility of persons for provisional or permanent appointment in the competitive class of the civil service as police officers of any county, city, town, village or police district as it deems necessary and proper for the efficient performance of police duties.

2-a. The council, in consultation with the state commission of correction, shall promulgate rules and regulations with respect to:

- (a) The approval, or revocation thereof, of basic and other correctional training programs administered by municipalities;
- (b) Minimum courses of study, attendance requirements, and equipment and facilities to be required at approved basic and other correctional training programs;
- (c) Minimum qualifications for instructors at approved basic and other correctional training programs; and
- (d) The requirements of a minimum basic correctional training program required by subdivision nine of section eight hundred thirty-seven-a (https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContent=document&transitionType=DocumentItem&pubNum=1000078&refType=S&originatingDoc=126e2eff0ccaf11e8964de43

3. The council shall, in addition:

(a) Consult with, advise and make recommendations to the commissioner with respect to the exercise of his or her functions, powers and duties as set forth in section eight hundred forty-one

(b) Recommend studies, surveys and reports to be made by the commissioner regarding the carrying out of the objectives and purposes of this section;

(c) Visit and inspect any police training school and correctional training programs approved by the commissioner or for which application for such approval has been made;

(d) Make recommendations, from time to time, to the commissioner, the governor and the legislature, regarding the carrying out of the purposes of this section;

(e) Perform such other acts as may be necessary or appropriate to carry out the functions of the council;

(f) Develop, maintain and disseminate, in consultation with the state office for the prevention of domestic violence, written policies and procedures consistent with article eight of the family court act and applicable provisions of the criminal procedure and domestic relations laws, regarding the investigation of and intervention by new and veteran police officers in incidents of family offenses. Such policies and procedures shall make provisions for education and training in the interpretation and enforcement of New York's family offense laws, including but not limited to:

(1) Intake and recording of victim statements, and the prompt translation of such statements if made in a language other than English, in accordance with subparagraph three of this paragraph, on a standardized "domestic violence incident report form" promulgated by the division of criminal justice services in consultation with the superintendent of state police, representatives of local police forces and the state office for the prevention of domestic violence, and the investigation thereof so as to ascertain whether a crime has been committed against the victim by a member of the victim's family or household as such terms are defined in section eight hundred twelve of the family court act

(2) the need for immediate intervention in family offenses including the arrest and detention of alleged offenders, pursuant to subdivision four of section 140.10 of the criminal procedure law

(3) determine, in consultation with the superintendent of state police and the office for the prevention of domestic violence, the languages in which such translation required by subparagraph one of this paragraph, and the notification required by subparagraph two of this paragraph, shall be provided. Such determination shall be based on the size of the New York state population that speaks each language and any other relevant factor. Such written notice required pursuant to subparagraph two of this paragraph shall be made available to all local law enforcement agencies throughout the state. Nothing in this paragraph shall prevent the council from using the determinations made by the superintendent of state police pursuant to subdivision (c) of section two hundred fourteen-b

of this article;

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and section 530.11 of the criminal procedure law (https://1.next.westlaw.com/Link/Document/FullText?findType=L&originationContext=document&transitionType=DocumentItem&pubNum=1000066&refType=LQ&originationDoc=1263833ccaf1e8964de4)

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and notifying victims of their rights, in their native language, if identified as other than English, in accordance with subparagraph three of this paragraph, including but not limited to immediately providing the victim with the written notice required in subdivision six of section 530.11 of the criminal procedure law (https://1.next.westlaw.com/Link/Document/FullText?findType=L&originationContext=document&transitionType=DocumentItem&pubNum=1000066&refType=SF&originationDoc=1263b341ccaf1e8964de4)

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and subdivision five of section eight hundred twelve of the family court act

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of this chapter;

(f-1) Develop, maintain and disseminate, in consultation with the office of temporary and disability assistance and the division of criminal justice services, written policies and procedures regarding human trafficking victims. Such policies and procedures shall include, but not be limited to the following: (1) the identification of potential victims of human trafficking, as defined under section four hundred eighty-three-aa of the social services law (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originalingContext=document&transitionType=DocumentItem&pubNum=1000136&refType=L0&originalingDoc=126440160cca11e8964de4>); and (2) information and/or referral to appropriate social and legal services for victims of human trafficking in accordance with section four hundred eighty-three-bb of the social services law (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originalingContext=document&transitionType=DocumentItem&pubNum=1000136&refType=L0&originalingDoc=126440161cca11e8964de4>);

(g) Develop, maintain and disseminate, in consultation with the state division of human rights and the state civil service department, written policies and procedures to enhance police and correctional officer recruitment efforts and to increase police and correctional officer awareness of racial, ethnic, religious and gender differences, and other diversity issues, in communities served by such police and in correctional facilities; and

(h) Consult with the state commission of correction regarding correctional training programs.

4. The council shall, in addition:

(a) Develop, maintain and disseminate, in consultation with rape crisis centers experienced in assisting victims in this state, written policies and procedures consistent with applicable provisions of the family court act, domestic relations law, criminal procedure law and the penal law, regarding the investigation of and intervention by new and veteran police officers in crimes involving sexual assault. Such policies and procedures shall make provisions for education and training of new and veteran police officers in the investigation and enforcement of crimes involving sexual assault under state law, including but not limited to:

(1) techniques for interviewing sexual assault victims,

(2) fair treatment standards for crime victims pursuant to article twenty-three of this chapter,

(3) evidence gathering and evidence preservation, and

(4) dissemination of information concerning availability of local services for the victims of such crimes;

(b) Recommend to the governor, rules and regulations with respect to establishment and implementation on an ongoing basis of a training program for all current and new police officers regarding the policies and procedures established pursuant to this subdivision, along with recommendations for periodic retraining of police officers.

(c) Disseminate the written policies and procedures promulgated in accordance with subdivision twenty-one of section eight hundred thirty-seven (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originalingContext=document&transitionType=DocumentItem&pubNum=1000078&refType=S&originalingDoc=126440161cca11e8964de4>) of this article to all police departments in this state and implement a training program for all current and new police officers regarding the policies and procedures established pursuant to such subdivision.

5. The council shall, in addition:

(a) Develop, maintain and disseminate, in consultation with the commissioner of the office for people with developmental disabilities, written policies and procedures consistent with section 13.43 of the mental hygiene law (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originalingContext=document&transitionType=DocumentItem&pubNum=1000105&refType=L0&originalingDoc=126440161cca11e8964de4>) regarding the handling of emergency situations involving individuals with autism spectrum disorder and other developmental disabilities.

and training of new and veteran police officers on the handling of emergency situations involving other developmental disabilities. Such policies and procedures shall make provisions for the education and training of emergency situations involving individuals with autism spectrum disorder and other developmental disabilities; and

(b) Recommend to the governor, rules and regulations with respect to the establishment and implementation on an ongoing basis of a training program for all current and new police officers regarding the policies and procedures established pursuant to this subdivision, along with recommendations for periodic retraining of police officers.

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