

COUNTY OF ERIE

LOCAL LAW NO. 4 - 1977

A LOCAL LAW amending Local Law No. 1 - 1959, as amended, constituting the Erie County Charter, by REPEALING Article 16 C thereof, and providing for a new Article 16 C in relation to the establishment and duties of the Erie County Citizens Committee on Rape and Sexual Assault.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE, AS FOLLOWS:

SECTION 1. Legislative findings and declaration of policy. The Legislature of the County of Erie hereby finds that the problem of rape and sexual assault must be approached with a comprehensive linked system of services that provides for total care of the victim in all related areas. Inasmuch as rape and sexual assault are serious crimes, every effort must be put forth to expeditiously apprehend and convict the criminal. The victim of the crime must also receive extensive and enlightened care to mitigate the trauma of personal violation. It is the finding of this Legislature that the extensive coordination among police, health, mental health, and criminal justice agencies that is required for implementation of such a program, properly places the authority to act within the sphere of County government. It is hereby declared to the policy of this Legislature that Erie County, in keeping with its total consideration of the well-being of its residents, assume the responsibility for the coordination of services which will (a) assist law enforcement and criminal justice agencies in their efforts against the perpetrators of the crimes, and (b) provide medical, counseling, and other appropriate assistance to victims of rape and sexual assault.

Since the Erie County Citizens Committee on Rape and Sexual Assault has implemented the majority of the 46 recommendations contained in the Report of the Erie County Task Force on Rape and Sexual Assault, it is the finding of the Legislature that the position of Executive Director of the Erie County Citizens Committee on Rape and Sexual Assault be abolished and that the various programs that were instituted by the Erie County Citizens Committee on Rape and Sexual Assault be now administered by various community and governmental agencies within the county; and it is the further finding of the Legislature that the Erie County Citizens Committee on Rape and Sexual Assault, previously established, continue in operation in order to implement those recommendations not completed and evaluate the various agencies charged with the administration of the programs now in being and that said Committee report to the Erie County Legislature with respect to its findings on a regular basis, all as more fully set forth in Article 16 C.

SECTION 2. Erie County Local Law No. 1 - 1959, as amended, constituting the Erie County Charter, is hereby amended by REPEALING Article 16 C thereof in its entirety.

SECTION 3. A Local Law amending Law No. 1 - 1959, as amended, constituting the Erie County Charter, is amended to provide for a new Article 16 C, in relation to the establishment and duties of the Erie County Citizens Committee on Rape and Sexual Assault, to read as follows:

ARTICLE 16 C

ERIE COUNTY CITIZENS COMMITTEE ON RAPE
AND SEXUAL ASSAULT

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| S1640. | Establishment, powers and duties. |
| S1641. | The County Executive. |
| S1642. | The Sheriff. |
| S1643. | Membership; meetings. |

SI640. Establishment, powers and duties.

There is hereby created the Erie County Citizens Committee on Rape and Sexual Assault, hereinafter called the Committee. The Committee shall:

1. Coordinate and execute a county-wide program following the guidelines of the comprehensive report submitted by the Erie County Task Force on Rape and Sexual Assault, for the total consideration of dealing with offenses of rape and sexual assault; such programs to include, but not be limited to, the basic areas of law enforcement, criminal justice, medical services, counseling services, training and education, the total goal of which will be to provide for considerate regard of the victim, while bringing offenders to justice, together with a model educational and preventive program aimed at reaching both sexes and all age levels through a community education and information program.

2. Make recommendations to other agencies and organizations for changes in procedures and functions which will provide for a unity of approach, procedure, training, public education, and information, for the accomplishment of its goals.

3. Maintain a Volunteer Supportive Advocate Program. The Volunteer Supportive Advocate Program provides immediate support to victims of sexual assault at the hospital and courts. In order to maintain this program the Commissioner of Mental Health shall provide for a half time Coordinator of the Volunteer Supportive Advocate Program either through a position in his department, or through an appropriate agency which provides mental health services to the residents of Erie County pursuant to contract with the County. The Commissioner shall appoint the Coordinator from a list of qualified candidates submitted by the Committee. Each such candidate shall either be an employee of the County or an employee of a mental health contract

agency. If the half time Coordinator position for the Volunteer Supportive Advocate Program is provided through a mental health contract agency, the agreement with that agency shall be submitted to the Committee for review and comment prior to the execution thereof.

4. Evaluate the work of the various community and governmental agencies charged with the administration of the programs previously instituted by the Committee set forth in 1 and 2 above. The Committee shall advise either the County Executive or Sheriff of the results of these evaluations and if during the evaluation process it appears that the Committee's goals and objectives for a comprehensive sexual assault program have not been met the Committee may request action of the County Executive or the Sheriff in implementing recommendations.

S1641. County Executive

To effectuate the purposes of this Article, the County Executive shall require any County Department, division, board, council, committee or agency to provide such facilities, assistance and data as he feels can reasonably be provided and should be provided to properly effectuate the goals of the committee.

The County Executive will appoint a person to serve as a liaison between the Committee and the County Executive. The responsibilities of this person shall include but not be limited to providing the Committee with information with respect to the functionings of the County government insofar as they relate to the business of the Committee.

S1642. Sheriff

The Sheriff will appoint a person whose function will be to serve as liaison between the Committee and the Erie County Sheriff's Department. The responsibilities of this person shall include but not be limited to providing the Committee with information with respect to the

functionings of the Erie County Sheriff's Department insofar as they relate to the business of the Committee.

S1643. Membership; meetings

The Committee shall consist of twenty (20) members. Ten (10) members shall be appointed by the County Executive subject to confirmation of the county legislature, and ten (10) appointed by the Erie County Sheriff, subject to the confirmation of the county legislature.

All appointments shall be for two (2) year terms.

Upon the occurrence of a vacancy for whatever reason, the Chairperson of the Committee shall notify the clerk of the Erie County Legislature. A vacancy occurring for reasons other than expiration of a term of a member shall be filled by appointment by the original appointing officer for the unexpired term, subject to confirmation by the county legislature. All vacancies occurring on the Committee shall be filled by the original appointing officer within thirty (30) days of the occurrence of the vacancy.

A Committee member may resign by giving written notice to the official by whom he/she was appointed and to the Chairperson of the full Committee.

The Committee shall annually by majority vote of its membership designate a Chairperson, Vice-Chairperson and Secretary.

The Committee shall meet at least four (4) times each year with at least one (1) meeting to be in each quarter of the year. The Committee shall adopt rules and procedures for its meetings, shall keep accurate records of its meetings and activities, and shall file an annual report with the County Executive, the Erie County Sheriff and the County Legislature.

In regard to any member of the Committee who may have been appointed to the Committee under any provisions of this article which were in effect prior to the enactment of the present provisions of this article, nothing herein shall be construed to require the termination of the term of any such member prior to the date on which such term would otherwise have expired.

5. Effective Date:

This local law shall be effective immediately.

9/29/77 Adopted by Legislature
10/28/77 Signed by County Executive Regan
10/31/77 Filed with Secretary of State
11/4/77 Acknowledgment received from Secretary of State