

Commission on Prosecutorial Misconduct

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[BILL NO S00024](#)

SAME AS SAME AS A01131

SPONSOR DEFRANCISCO

COSPNSR AVELLA, HASSELL-THOMPSON, KRUEGER, PARKER

MLTSPNSR

Add Art 15-A SS499-a – 499-j, Judy L

Establishes the commission on prosecutorial conduct.

[Go to top](#)

S00024 Text:

S T A T E O F N E W Y O R K

24

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

Introduced by Sen. DeFRANCISCO — read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to establishing the commission on prosecutorial conduct

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The judiciary law is amended by adding a new article 15-A to read as follows:

ARTICLE 15-A

STATE COMMISSION ON PROSECUTORIAL CONDUCT

SECTION 499-A. ESTABLISHMENT OF COMMISSION.

ESTABLISHMENT OF COMMISSION. A STATE COMMISSION OF PROSECUTORIAL CONDUCT IS HEREBY ESTABLISHED. THE COMMISSION SHALL HAVE THE AUTHORITY TO REVIEW THE CONDUCT OF PROSECUTORS UPON THE FILING OF A COMPLAINT WITH THE COMMISSION TO DETERMINE WHETHER SAID CONDUCT AS ALLEGED DEPARTS FROM THE APPLICABLE STATUTES, CASE LAW, NEW YORK RULES OF PROFESSIONAL RESPONSIBILITY AND RULE 3.8 (SPECIAL RESPONSIBILITIES OF PROSECUTORS) OF THE MODEL RULES OF PROFESSIONAL CONDUCT OF THE AMERICAN BAR ASSOCIATIONS.