

COUNTY OF ERIE

LOCAL LAW NO. 17

LOCAL LAW INTRO. NO. 29 [Print #3]

1974

A LOCAL LAW amending Local Law No. 1 - 1959, as amended, constituting the Erie County Charter, by adding thereto a new article to be known as Article 16C in relation to establishing an 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 be 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.

Section 2. Local Law No. 1 - 1959, as amended, constituting the Erie County Charter, is hereby amended by adding thereto a new article to be known as Article 16C, to read as follows:

ARTICLE 16C

ERIE COUNTY CITIZENS COMMITTEE ON RAPE AND SEXUAL ASSAULT

- §1640. Establishment, powers and duties.
- §1641. The County Executive.
- §1642. Membership; meetings.
- §1643. Executive director; appointment, powers and duties.
- §1644. Coordinators.

§1640. 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 program 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 victims, while bringing offenders to justice, together with a model educational and preventive program, aimed at reaching both sexes and all age levels.

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.

§1641. The 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 done and should be done to properly effectuate the goals of the Committee.

§1642. 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.

Upon this law becoming effective, the county executive and the Erie County Sheriff shall each appoint five (5) members of the Committee to serve terms ending December 31, 1975, and five (5) to serve terms ending December 31, 1976. Thereafter all appointments shall be for two (2) year terms.

Upon the occurrence of a vacancy for whatever reason, the executive director 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 executive director of the Committee.

The Committee shall annually by majority vote of its membership designate a chairman, vice-chairman and secretary.

The Committee shall meet at least six (6) times each 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.

§1643. Executive director; appointment, powers and duties.

There is hereby created the position of executive director of the Erie County Citizens Committee on Rape and Sexual Assault, the holder of which position shall devote his or her full time to the duties of said office and shall hold no other public office. The executive director shall be jointly appointed to a two (2) year term by the county executive and the sheriff, subject to confirmation by the county legislature. Upon the expiration of the term of the executive director a reappointment or new appointment shall be made in the same manner as the original appointment. The executive director may be removed prior to expiration of the term upon written notice of such removal signed by the County Executive and the Sheriff.

The executive director shall perform such duties as are necessary to fulfill the Committee's recommendations and responsibilities; shall be responsible for the administration and performance of the Committee's clerical work; shall be responsible for the supervision, preparation, and dissemination of all public relations material connected with the responsibilities of the Committee; shall meet with various county and other governmental employees and officials and outside groups to carry out policies established by the Committee; and shall make such reports to the Committee at such time and in such manner as are deemed necessary by the Committee.

§1644. Coordinators.

The Erie County Sheriff shall designate a criminal justice coordinator who shall be responsible for coordinating activities in the criminal justice system, including, but not limited to, enforcement, prosecution, adjudication, and criminal record keeping in relation to the crimes of rape and sexual assault in the County of Erie.

The county executive shall designate a health services coordinator who shall be responsible for coordinating activities including but not limited to the areas of health, mental health, hospital service and social service agencies as they concern the crimes of rape and sexual assault in the County of Erie.

The coordinators shall be responsible to the executive director for the performance of their respective responsibilities.

Section 3. Effective date.

This local law shall be effective immediately.

12/2/74, Acknowledgment from
Secretary of State

Meeting 25, 11/5/74, Item 17, adopted
Meeting 28, 11/26/74, Item 60, signed by
County Executive as L.L.#17 on
11/21/74.