

2000 NY Bill Proposed Reporting of Violent Crimes/Suicides Committed by Persons Using Psychotropic Drugs

Summary of the bill:

The bill adds a new section to the New York executive law requiring police agencies to report to the Department of Criminal Justice Services (DCJS) on certain crimes and suicides committed by a person who is using psychotropic drugs. These crimes include assault, homicide, sex offenses, robbery offenses, firearms and other dangerous weapons offenses, kidnapping and arson.

Justification for the Bill:

There is a large body of scientific research establishing a connection between violence and suicide and the use of psychotropic drugs in some cases. This research, which has been published in peer reviewed publications such as the American Journal of Psychiatry, The Journal of the American Academy of Child and Adolescent Psychiatry, and The Journal of Forensic Science, has shown, among other things, that: certain drugs can induce mania (a psychosis which can produce bizarre, grandiose and highly elaborated destructive plans, including mass murder); some patients on psychotropic drugs have an increase in suicidal thoughts and/or violent behavior; self-injurious ideation or behavior started or intensified during treatment with a psychotropic drug; users of certain drugs can become aggressive or suffer hallucinations and/or suicidal thoughts; and certain drugs can produce an acute psychotic reaction in an individual not previously psychotic.

New York Senate Bill 7035 I N S E N A T E March 17, 2000

Introduced by Sen. JOHNSON ð read twice and ordered printed, and when printed to be committed to the Committee on Finance AN ACT to amend the executive law, in relation to the reporting of certain crimes and suicides committed by persons using psychotropic drugs

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

Section 1. The executive law is amended by adding a new section 837-p to read as follows:

S 837-P. REPORTS OF CERTAIN CRIMES AND SUICIDES COMMITTED BY PERSONS TREATED WITH PSYCHOTROPIC DRUGS. 1. FOR THE PURPOSES OF THIS SECTION, ðPSYCHOTROPIC DRUGö MEANS ANY DRUG THAT AFFECTS MOOD, BEHAVIOR OR PERCEPTION THAT IS PRESCRIBED FOR TREATMENT OF MENTAL ILLNESS IN ANY PERSON INCLUDING, BUT NOT LIMITED TO, THOSE PERSONS WHO ARE CHILDREN AND ADOLESCENTS WITH SERIOUS EMOTIONAL DISTURBANCES.

2. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS REQUIRING ANY POLICE OFFICER INVESTIGATING ANY SUICIDE OR ANY CRIME ENUMERATED IN THIS SUBDIVISION TO SUBMIT A REPORT ON SUCH INVESTIGATION WHEN THE SUICIDE OR CRIME WAS COMMITTED BY A PERSON WHO HAS BEEN OR IS BEING TREATED WITH PSYCHOTROPIC DRUGS. THE CRIMES FOR WHICH A REPORT SHALL BE SUBMITTED SHALL INCLUDE:

- (A) ASSAULT AND RELATED OFFENSES DEFINED IN ARTICLE ONE HUNDRED TWENTY OF THE PENAL LAW,
- (B) HOMICIDE, ABORTION AND RELATED OFFENSES DEFINED IN ARTICLE ONE HUNDRED TWENTY-FIVE OF THE PENAL LAW;
- (C) SEX OFFENSES DEFINED IN ARTICLE ONE HUNDRED THIRTY OF THE PENAL LAW;
- (D) ROBBERY OFFENSES DEFINED IN ARTICLE ONE HUNDRED SIXTY OF THE PENAL LAW,
- (E) FIREARMS AND OTHER DANGEROUS WEAPONS OFFENSES DEFINED IN ARTICLE TWO HUNDRED SIXTY-FIVE OF THE PENAL LAW;
- (F) KIDNAPPING IN THE SECOND DEGREE AS DEFINED IN SECTION 135.20 OF THE PENAL LAW;
- (G) KIDNAPPING IN THE FIRST DEGREE AS DEFINED IN SECTION 135.25 OF THE PENAL LAW;
- (H) ARSON IN THE SECOND DEGREE AS DEFINED IN SECTION 150.15 OF THE PENAL LAW; AND
- (I) ARSON IN THE FIRST DEGREE AS DEFINED IN SECTION 150.20 OF THE PENAL LAW.

3. SUCH REPORTS SHALL INCLUDE, BUT NOT BE LIMITED TO:

- (A) THE AGE OF THE PERSON COMMITTING THE CRIME OR SUICIDE;
- (B) A DESCRIPTION OF THE CRIME OR SUICIDE;
- (C) THE TYPE, IF ANY, OF WEAPON USED; AND
- (D) THE PSYCHOTROPIC DRUG USED BY OR PRESCRIBED TO THE PERSON COMMITTING THE CRIME OR SUICIDE.

4. THE DIVISION SHALL ANNUALLY, ON OR BEFORE MARCH FIRST, ISSUE A REPORT TO THE GOVERNOR AND THE LEGISLATURE ON ALL THE INFORMATION RECEIVED BY SUCH DIVISION PURSUANT TO THIS SECTION FOR THE PRECEDING CALENDAR YEAR.

S 2. This act shall take effect on the first day of January next succeeding the date on which it shall have become a law; provided, that any rules and regulations necessary to implement the provisions of this act on its effective date are authorized and directed to be promulgated on or before such date.

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