

Introduced by: Legislator Mejias

LOCAL LAW NO. 14 -2008

A LOCAL LAW to amend the administrative code, in relation to notification concerning heroin activity.

Be it enacted by the County Legislature of the County of Nassau as follows:

Section 1. Short title. This local law shall be know and may be cited as “Natalie Ciappa’s Law.”

§ 2. Legislative intent.

This Legislature finds that there has been an increase in heroin use in Nassau County, particularly among teenagers and young adults. Nationwide, heroin use among high school students is a particular problem, with nearly two percent of high school seniors in the United States using the drug at least once in a lifetime. In order to combat this trend, this legislation seeks to facilitate communication between the County’s law enforcement and educators so that at-risk students can be identified and helped.

§ 3. Chapter VIII of chapter 272 of the laws of 1939, constituting the Nassau County Administrative Code, is amended to add a new Title L, to read as follows:

Title L. Notification Concerning Heroin Activity

§8-131.1 Notification to schools. The Commissioner of the Nassau County Police Department or his or her designee shall inform each district school board and each school district superintendent and each principal of a private school:

- a. whenever there has been an arrest for the possession or sale of heroin within the school district served by such board, superintendant or principal; or
- b. whenever a student who resides within the school district served by such board, superintendent or principal has been arrested for possession or sale of heroin anywhere in

the County; provided, however, that nothing contained herein shall require the Commissioner to divulge information which would be prohibited by article three of the New York State Family Court Act or article seven hundred twenty of the New York State Criminal Procedure Law or interfere with an ongoing criminal investigation and prosecution.

8-131.2 Community-wide dissemination. The Commissioner of the Nassau County Police Department shall work with the Nassau County Department of Information Technology to establish and implement a Nassau Drug Mapping Index (“NDMI”) website which shall:

- a. map arrests for possession and sale of heroin within Nassau County; and
- b. post the following information for each arrest for public review: the nature (e.g., possession, sale) and class (e.g., misdemeanor, felony) of the arrest, age of the alleged offender and the date, time, and location of the arrest.

Such “NDMI” website shall be developed and implemented within ninety days from the effective date of this title and shall thereafter be updated on a monthly basis; provided, however, that nothing contained herein shall require the Commissioner to divulge information which would be prohibited by article three of the New York State Family Court Act or article seven hundred twenty of the New York State Criminal Procedure Law or interfere with an ongoing criminal investigation and prosecution.

§8-131.3 County; School not liable. Nothing in this title shall be deemed to impose any civil or criminal liability upon or to give rise to a cause of action against any official, employee or agency of Nassau County for failing to disseminate information as provided in this title. Nothing in this title shall be deemed to give rise to a cause of action against any official, employee or agency of any public school district, or private school who receives information pursuant to this title.

§ 4. Severability. If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its

application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§ 5. SEQRA Determination. This legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this action is an unlisted action under the provisions of Title 6 NYCRR Part 617, and that based on an evaluation of the environmental criteria set forth in §617.7(c) that are considered to be indicia of significant adverse environmental impacts, along with the recommendation of the Nassau County Planning Commission acting in its advisory capacity to the legislature, that such action will not have significant adverse impacts on the environment, and that no additional environmental review or action is necessary.

§ 6. Effective date. This Local Law shall take effect immediately.