



NEW YORK STATE SENATOR

Hugh T. Farley

## Sen. Farley and Republican Colleagues Unveil Domestic Violence Act of 2010

HUGH T. FARLEY March 4, 2010

| ISSUE: **VICTIMS**



State Senator Hugh T. Farley (R, C, I - Schenectady) and fellow Senate Republicans today joined Richmond County District Attorney Dan Donovan in Albany to unveil the Domestic Violence Act of 2010, a comprehensive effort to strengthen the State' porous and ineffective domestic violence laws.

The initiative would also create a specific crime of domestic abuse in the State penal law and provide law enforcement with greater tools to stamp out domestic violence.

Under current law, individuals can only be charged with harassment, menacing or third degree assault, which carries a class A misdemeanor. The changes Republicans are advocating for would create new crimes of Domestic Abuse in the First, Second and Third degrees. Domestic Abuse in the First Degree would be a Class E felony.

The Domestic Violence Act of 2010 would increase penalties for those who commit the most serious crimes or are repeat offenders, as well as utilize GPS technology to better enforce orders of protection to keep women safe.

Currently, an order of protection is a piece of paper that provides no real protection if a woman is confronted by a violent assailant. The Domestic Violence Act of 2010 would put in place enhanced monitoring of individuals who have been served with an order of protection by requiring them to wear an ankle bracelet equipped with a GPS tracking device.

The cost of the equipment and monitoring would be paid for by the offender and present little, if any, cost to taxpayers. In 2008, more than 220,000 orders of protection were granted in New York State.

Still, the most recent statistics from the State' Division of Criminal Justice Services show that nearly 4,000 women in New York City alone were treated in emergency rooms for injuries they acknowledged were caused by their intimate partners.

The comprehensive anti-domestic violence legislation would also hold deadbeat parents accountable for failure to pay child support by cracking down on parents who deliberately hide their assets. In addition, the bill closes a loophole in current law that allows parents to escape criminal liability by shifting the burden of proof of the inability to pay from the

prosecutor to the parent.

According to the National Coalition Against Domestic Violence, 1 in 4 women will experience domestic violence in their lifetime, and there are more than 400,000 domestic violence incidents in New York State each year.

In addition, fifty percent of all women murdered in New York State are killed as a result of domestic violence.

District Attorney Donovan is the current Chairperson of the State District Attorneys Association Board of Directors, and a former President of the statewide organization. His office has made targeting domestic violence its top priority.