



NEW YORK STATE SENATOR

Diane J. Savino

Senate Passes Savino Bill to Close Dangerous Domestic Violence Loophole

DIANE J. SAVINO June 23, 2011

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The State Senate today unanimously passed important legislation by Senator Diane J. Savino, (D-Staten Island/ Brooklyn), to close a dangerous loophole that left some domestic violence victims unable to receive an order of protection.

The legislation, (S.4302A) would add the offenses of strangulation and criminal obstruction of breathing and blood circulation to the list of allegations that can be considered when seeking an order of protection in Family Court.

These acts were made criminal offenses last year. However, they were not included in the elements that can be considered when a spouse, ex-spouse, relative, or significant other, seeks an order of protection in Family Court.

As a result of this omission, several of these applications have been dismissed.

“This legislation eliminates an uneven distribution of justice that leaves some domestic violence victims more protected than others,” said Senator Savino, Chairwoman of the Senate Standing Committee on Children & Families. “I thank my colleagues for joining with me to right this very frightening wrong.”

The legislation, which has already passed the Assembly, will be sent to the Governor for his consideration.