



NEW YORK STATE SENATOR

Stephen M. Saland

Saland Announces Passage of Landmark Domestic Violence Legislation

STEPHEN M. SALAND June 12, 2012

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Senator Steve Saland (R,I,C- Poughkeepsie) announced the passing of the most significant changes to the laws protecting victims of domestic violence since the enactment of his Family Intervention and Domestic Violence Prevention Act in 1994 which instituted the mandatory arrest policy in situations involving domestic abuse.

Saland, partnering with Governor Cuomo and several members of the Senate and Assembly, successfully ushered a comprehensive domestic violence bill through the Senate with bipartisan support.

“After several months of meetings with advocates, law enforcement and elected officials, I am pleased to announce that the Senate has reached an agreement with the Governor and the Assembly on legislation that clearly provides stronger protections to victims of domestic violence and sends a strong message to perpetrators of domestic violence that their actions will not be tolerated,” said Senator Steve Saland. “Dutchess County, in particular, has witnessed several domestic violence related homicides, including a tragic incident that took the life of a city of Poughkeepsie police officer. This legislation is critically necessary to deter and prevent further tragedies that claim innocent lives of victims of domestic abuse.”

This comprehensive legislation (S7638) expands the factors the courts must consider when determining bail when the crime is one of domestic violence and creates a new crime of Aggravated Family Offense when specified crimes involving a family member have been committed one or more times within five years. The bill creates a Domestic Violence Fatality Review Team to work with local communities in examining factors involved in domestic violence and makes recommendations to prevent further fatalities. This bill also provides for the elevating of the crime of harassment from a violation to a class A misdemeanor in domestic violence situations. Further, this measure prohibits persons who were the subject of an order of protection or charged in the death of a decedent from controlling the disposition of the decedent's remains. Finally, this legislation allows victims of domestic violence greater protections by ensuring their confidentiality on certain information required for insurance and billing purposes.

"After we issued our report from the Dutchess County Legislature's Citizens' Advisory Committee on Domestic Violence, we turned to Senator Saland for his help in getting stronger laws enacted to aid in our fight against domestic violence. The Senator assured us this would be a priority and today we see the result of his hard work," said Rob Rolison, Chairman of the Dutchess County Legislature. "As a police officer, I saw first-hand the damage done, both emotionally and physically, when domestic violence entered a home. We have a legal obligation to protect these victims and a societal obligation to help prevent domestic violence from becoming a generational problem."

According to the National Coalition Against Domestic Violence, an estimated 1.3 million women are victims of physical assault by an intimate partner each year. Boys who witness domestic violence are twice as likely to abuse their partner and children as adults, creating a cyclical problem from one generation to the next.

Senator Saland thanks the Governor for his instrumental role in providing greater protections to victims of domestic violence and commends the hard work of the great number of advocates, including District Attorneys Vance and Donovan. In particular, Senator Saland thanks Dutchess County's Assistant District Attorney Marge Smith and advocate Leah Feldman who provided critical insight and information throughout the process.

Saland concluded, "This was a collaborative effort and I genuinely believe with the enactment of this legislation, we are making our State a safer place for many who live in fear. Today, their voices have been heard."