



NEW YORK STATE SENATOR

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SERINO PUSHES FOR PASSAGE OF LEGISLATION TO PROTECT DOMESTIC VIOLENCE VICTIMS FOLLOWING RHA PASSAGE

SUSAN SERINO January 22, 2019



ALBANY, NY— Senator Sue Serino today joined Livia Abreu—an Army veteran who tragically lost her unborn daughter as a result of a terrible domestic violence attack—at a press conference calling for the passage of legislation that would restore important protections for victims of domestic violence that will be removed when the Reproductive Health Act (RHA) becomes law.

“Contrary to popular rhetoric, the Reproductive Health Act does not simply codify the current law of the land, it is an extreme proposal that goes far beyond the current standard, allows non-doctors to perform

abortions up until the day of birth, and it removes critically important legal protections for pregnant victims of domestic violence,” said Senator Sue Serino. “I am incredibly grateful for Livia’s courage in telling her story to advocate on behalf of victims across the state. To deprive a pregnant domestic violence victim of the justice she and her unborn child deserve is particularly reprehensible and the ‘Liv Act’ will ensure that these dangerous perpetrators are held fully accountable for their heinous crimes.”

The bill, introduced by Senator Cathy Young, has been named the ‘Liv Act,’ in honor of Abreu, a courageous military paratrooper who was 26 weeks pregnant when her ex-boyfriend stabbed her multiple times and caused the tragic loss of her daughter. After the brutal attack, Abreu’s assailant heartlessly left her on the floor for a half-hour in her own blood. She bravely crawled from her apartment to a neighbor’s home for help.

Specifically, this legislation addresses a major injustice and flaw in the Reproductive Health Act ([S240](#)), which strikes from current law the criminal charges that are applied to perpetrators like Liv’s ex-partner who specifically commit acts of violence against pregnant women. The bill establishes the crime of ‘assault on a pregnant woman’ by expressly recognizing that violence against them is a felony, and it would apply when there is violence done to a pregnant woman, even if it does not involve the loss of her pregnancy.

In a statement following the press conference, Abreu said, “The Reproductive Health Act is, in my opinion, extreme and filled with gaps. It does not codify Roe v. Wade in the state of NY. In fact what it does is decriminalize abortion in all aspects, including abortion as a product of an assault on a pregnant female. Essentially, if this bill passes today and becomes law it will remove abortion as a crime from the penal code as a whole. Oscar Alvarez is currently facing abortion charges in the 1st & 2nd degrees. The passing of RHA will likely exonerate him from those charges. Which will in turn lessen his sentence now that a judge has decided the case is going to trial and the new law will take effect prior to that date. Let that sink in. He will likely be convicted of the crimes he committed against me, but the loss of my daughter will be a non-factor to the law because she wasn’t “born and alive.” That’s language used in the RHA bill. To clarify, I am neither pro-choice nor pro-life, I am very much neutral, because most things are never simply black or white. Choosing one side or the other will make me an extremist, and that I am not. I understand that there are circumstances in which a difficult decision must be made in order to save a life. However, I find it completely unacceptable for pregnant women & their unborn babies to be left unprotected under the law. I’m thinking about the many women who could be faced with a situation like mine. Domestic Violence & Assault cases on pregnant women continue to rise. I pray that it doesn’t, but

what happened to me will likely happen to someone else. I cannot imagine living in a world where harming and/or killing an unborn child as a product of an attack on a pregnant woman is not a crime... A world where mothers have been stripped of & have to bury and mourn their unborn child but the person responsible is not held accountable for it. Read the bill if you haven't already."

With RHA enacted, the criminal and civil laws here in the state would fail to adequately recognize the harm experienced by Liv and other victims here in New York. Passage of the 'Liv Act' would ensure that a criminal statute would still exist in New York that would recognize that violence done to a pregnant woman puts her reproductive freedom at stake.

According to the World Health Organization (WHO), which [studied the link between intimate partner violence and pregnancy](#), intimate partner violence during pregnancy is a women's health and human rights issue and some research even suggests that intimate partner violence may increase during pregnancy. Further, 38 states currently have laws that hold perpetrators accountable when violent attacks against pregnant women result in the loss of their babies, including California and Massachusetts. Additionally, eight states, including Colorado, enhance existing criminal penalties for crimes specifically committed against pregnant women.

Senator Serino urges residents to join the campaign on Twitter to urge Senate and Assembly Leadership to pass the 'Liv Act' by using the hashtag: #LetJusticeLivOn.

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