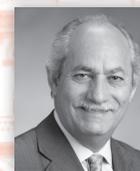




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WORKING TO END DOMESTIC VIOLENCE

Fact Sheet and Initiatives in the New York State Legislature

Data on domestic violence has historically been difficult to obtain. However, most recently New York State government agencies have begun compiling solid information from a range of systems to illustrate the prevalence of domestic violence, and the strength of New York State's response. The data in this brief shows the reported frequency of domestic violence. It is of the highest importance that policymakers continue to provide more protections and additional funding to programs which will help reduce and ultimately eliminate domestic violence and its corrosive impact on our society. With increasing rates of teens and even pre-teens now suffering from intimate partner violence/dating violence, this issue is of paramount importance.

The Domestic Violence Dashboard Project is administered by the NYS Office for the Prevention of Domestic Violence

(OPDV) to develop and report on such indicators. Currently, the Dashboard contains data from 2007-2014.

Here is some key data from OPDV:

In 2014, there were 100,920 total assaults reported by police agencies outside of New York City. Of these, 29% (28,976) were committed by intimate partners; females were the victim in 80% of these assaults, which was also the case in 2013. (DCJS)

From 2013, total assaults in 2014 were down 10%, intimate partner assaults were down 7%, and intimate partner assaults where females were the victim were also down 7%. (DCJS)

In 2014, **local probation departments added 6,586 new criminal court domestic violence probation cases** to their caseloads. This represents a **20% increase** from the 5,498 new criminal

court domestic violence cases added in 2013, and a **26% increase** from the 5,217 cases added in 2012.

NYS courts issued a total of 293,774 orders of protection in 2014, a 2% decline from 300,236 in 2013, of which 202,277 were required to be recorded in the UCS' Domestic Violence Registry. (OCA)

The 39 NYS Domestic Violence courts, each staffed by a designated judge, heard 25,264 new cases in 2014, a 6% decrease from 2013. (OCA)

- In 2014, **strangulation offenses** charged in arrests and arraignments in New York State decreased 0.5% from 2013, with New York City experiencing a 2% increase, while the rest of the state experienced a 4% decrease. (DCJS)
- **Strangulations Charged in NYS 2012-2014** - NYS total of 11,616 strangulations charged in 2012, 12,069 charged in 2013, and 12,073 in 2014. (over 7k in NYC in 2014)
- **Homicide -- From 2013 to 2014**, total homicides decreased 5% statewide from 644 to 612. The number of intimate partner homicides dropped 25%, from 87 to 65 during that same time period. (DCJS) (NYC had 28 DV homicides in 2014)
- **In 2014, 45% of female homicide victims** aged 16 and older were killed by an intimate partner, as compared to 51.5% in 2013. Three percent of male homicide victims were killed by an intimate partner in 2014. (DCJS)
- **In 2014, firearms** were used in 19 of the 65 intimate partner homicides (29%) and cutting/stabbing instruments were used in 28 of the 65 intimate partner homicides (43%). (DCJS)
- **Intimate Partner Homicides 2009-2014** - NYS total of 89 intimate partner homicides in 2009, 73 in 2010, 89 in 2011, 75 in 2012, 87 in 2013, and 65 in 2014.

STATE BUDGET

1. **Strong efforts have been made in NYS** to combat domestic violence and include creating specialized domestic violence courts, increased legal protections like mandatory arrest for and reporting of strangulation offenses, increased outreach on anti-abuse services, state funding for domestic violence shelters, legal assistance and other programs.
2. **The 2015-16 and 2016-17 adopted State Budgets funded the following anti-domestic violence initiatives:**
 - Under the Division of Criminal Justice Services, the Legislature funded a total of \$3,168,000 for domestic violence programs. Of that total, \$609,000 was added by the Assembly and \$1,609,000 was added by the Senate for programs that prevent domestic violence or aid victims of domestic violence.
 - \$950,000 was also added by the Senate for domestic violence related legal services.
 - The SFY 2015-16 budget include \$4.94 million for the Office for the Prevention of Domestic Violence (OPDV). **That amount was increased to \$5.14 million in SFY 2016-17.** Through training, technical assistance, public education and outreach on the issue of domestic violence, OPDV reaches a variety of organizations and individuals across the State.
 - Under the Office of Temporary and Disability Assistance, the Legislature funded the Non-Residential Domestic Violence program at \$3,000,000 in SFY 2015-16 and SFY 2016-17, a continued increase of **\$540,000 over the SFY 2014-15 budget.** This helps with advocacy, counseling, child care, phone service, and other non-residential services.

LEGISLATION:

1. **In 2013 Assemblyman Crespo introduced** two measures to address domestic violence in New York: **One became a law that year** and **the other** dealing with a commission to study intimate partner violence (IPV) among youth has passed the Assembly in two of the last three years with no action in Senate. **(A.6518/S.1730)**. The bill is needed because 25% of adolescent girls have experienced physical or sexual dating violence. Approximately 10% of intentional injuries to adolescent girls are reported to be the result of violent male dating. External factors such as race, age, illiteracy, and ethnicity are closely related with the climbing rates of IPV.

2. **Chapter 202 of the Laws of 2013** – Provides New Telephone Numbers Without Charge for Certain Victims of Domestic Violence **(S.4442-A/A.6381-A of 2013)** – This was needed because telephone and cell companies were denying a free change of phone number to victims of domestic violence who had restraining/orders of protection or needed emergency shelter due to abuse. The new law mandates that these victims are given new, free numbers to protect them from further abuse.

3. **In 2015, 110 pieces of legislation** addressing domestic violence were introduced in the New York State Legislature. Several of which Assemblyman Crespo supports.

4. **There are several other important and needed protections for victims of domestic violence. Several have become law since 2013:**

■ **A.7871** – Expands the crimes included in domestic violence to include identity theft, grand larceny and coercion, for purposes of protecting victims to other actions by abuser that are not physical and psychological.

■ *The bill amends Social Service law to add protections passed in 2013 amending the Family Court Act with protections against ID theft, grand larceny and coercion. (passed Assembly)*

■ **A.5730** – Amends Social Service law to allow for a housing subsidy of 70% to victims of domestic violence. Some victims of domestic violence stay in an abusive situation because there is no possibility of finding housing. This would enable victims to leave an abusive situation because subsidies would be available to them for up to one year. **(huge fiscal, no action either house)**

■ In 2013, both houses passed and governor signed bill protecting the safety of domestic violence victims by limiting the scope of information disclosed in a published notice of change of name. **The bill A.3549 became Chapter 253 of Laws of 2014.**

■ In 2013 both houses passed and governor signed bill that protects victims of domestic violence from being charged with and prosecuted for violating their own order of protection. It makes it clear that victims cannot be prosecuted for violating orders of protection issued in their favor. **The bill A.6547-A became Chapter 480 of the Laws of 2013.**

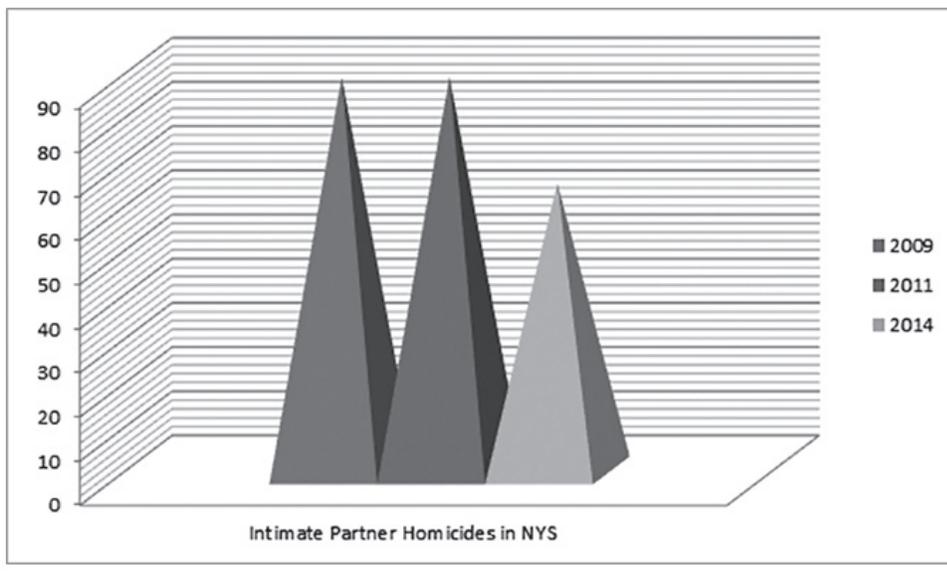
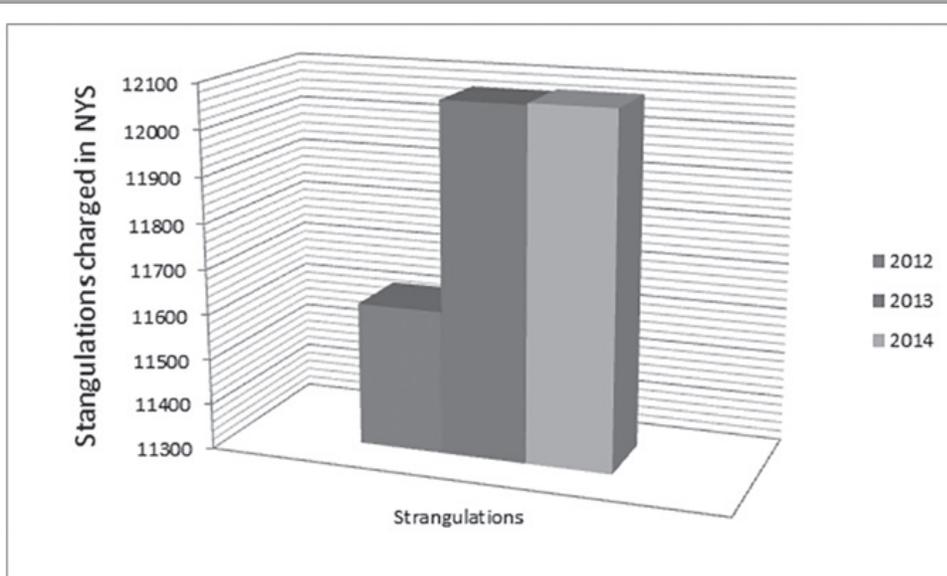
■ *This action was needed because: Victims of family offenses granted orders of protection in their favor were being charged criminally for violating their own orders of protection. If victims had or consented to have contact with their abusers in any way, or if the abusers are back in the home despite the direction to stay away from their victim.*

■ *Under this now-banned-practice of prosecuting the victim, victims were being arrested and prosecuted for violating the terms of their own order of protection, contacting their abuser or aiding and abetting the abuser to violate their own protective order.*

These Two Bills are Priority Legislation for the Puerto Rican/Hispanic Task Force:

■ **A.249** – Sponsored by Assemblywoman Nily Rozic, the safe homes act will authorize law enforcement to remove firearms found on the premises where there has been a report of domestic violence.

■ **A.9481/S.5941-A** – Sponsored by Senator Espailat and Assemblyman Crespo, this bill requires orders of protection and temporary orders of protection issued in family court or in criminal court to be translated by an interpreter into the native language of the parties via computer software and audio service.



For more information on this or any legislative matter, contact Guillermo Martinez, Legislative Director of the Assembly Puerto Rican/Hispanic Task Force at 518-455-5514.