

Requires Court Review of Domestic Violence Bail Applications

A01660 (ZEBROWSKI)

What would this bill do?

- Provides that when someone is arrested for domestic violence, they would **be required to appear before a judge prior to being released on bail.**
- This would allow judges to take into consideration when making bail determinations; safety risks, specific circumstances and history of domestic violence or violent offenses.

Why is this bill needed?

- Domestic violence is different than other crimes because of the intimacy involved.
- Releasing an individual on bail inherently puts the survivor at a **higher risk for abuse** because the abuser often returns home and/or continues to abuse the survivor once they are released from jail. Due to the nature of domestic violence, it is common that the survivor and the abuser reside together.
- Releasing an individual on bail when violating an Order of Protection **discourages survivors from reporting abuse.** The abuser would be released shortly after they are arrested and would inevitably be angry with the survivor for reporting the offense, which frequently results in retaliatory violence.
- It is important that we, as a community, **support survivors of domestic violence** and create a supportive community where **survivors feel safe** to report abuse and seek help.

How can I support this bill?

- Sign the petition located on the table outside of the auditorium before leaving the Legislative Breakfast today.
- Contact your representatives in the NYS Assembly and NYS Senate to express your support.

Persons Arrested for Domestic Violence Shall Forfeit Bail When Violating an Order of Protection

S00311 (ROBACH)

What would this bill do?

- Provides that someone who is arrested for a domestic violence offense and subsequently **violates an existing Order of Protection, must forfeit the bail that they have posted.**

Why is this bill needed?

- Leaving an abusive situation is the most dangerous time for a survivor; **75% of serious injuries and/or deaths occur when a survivor tries to leave an abusive relationship.**¹ Filing for an Order of Protection is one way to ensure safety when leaving.
- Violating an Order of Protection, not only once but multiple times, is a serious matter.
- It is important that we support survivors who decide to leave their abusive partner by reassuring them that their **safety is vital.**
- Violating an Order of Protection puts survivors in severe danger. **We need to protect survivors by showing abusers that ongoing abuse and violations of court orders will be taken seriously.**

How can I support this bill?

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¹ <http://www.caring-unlimited.org/what-is-domestic-violence/for-victims-and-survivors/lethality-indicators>

Creation of “Melinda’s Law”, in Relation to the Removal of Children in Domestic Violence Cases

A04271 (GRAF) / S04368 (GOLDEN)

What would this bill do?

- Amends the Family Court Act to provide that the non-offending parent not be listed as a respondent in a custody hearing solely because they are a survivor of domestic violence when there is no evidence of abuse or neglect by that parent.
- Allows the non-abusive parent a way to **report incidents of abuse** perpetrated by the abusive partner **without fear of having their children removed from their care**.

Why is this bill needed?

- The abusive partner will often use **threats of the removal of the children** by Child Protective Services as a means **to further control the non-abusive partner** and deter them from reporting the abuse.
- Abuse sometimes moves from the partner to the children, and can escalate over time if the abuser believes that the non-abusive partner is **afraid to report such abuse, under the fear of losing their children**.
- Creates an opportunity to **prevent the escalation of abuse** without fear of children being removed from a survivor’s custody.

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Allows Victims of Domestic Violence to be Released from Wireless Phone Contracts without Penalty

A00946 (ROZIC) / S02436 (PARKER)

What would this bill do?

- Allows survivors of domestic violence to **opt-out of a shared phone plan contract** with their abusive partner **without charge**.
- Allows survivors to receive a **new phone number at no cost within 24-hours** of the request.
- Survivors must show documentation of abuse through either; a police report, a Domestic Incident Report, an Order of Protection or a signed affidavit from a service provider.

Why is this bill needed?

- Shared wireless telephone service can **provide abusers with access to a survivor’s cell phone**, contact information, access to their call history, contents of their text messages, and past/current locations.
- This information may be **used by the abuser to threaten, harass, or stalk the survivor** and those people they are in contact with.

How can I support this bill?

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Requires Hospitals to have Policies that Effectively Aid Victims of Domestic Violence

A04014 (LAVINE) / S03589 (PARKER)

What would this bill do?

- Requires hospitals to **establish best practice policies** and procedures regarding domestic violence and establish **ongoing training programs** for all current and new hospital employees.
- Requires hospitals to **advise the survivor of available advocacy services** and contact the appropriate advocacy agency to provide an advocate for the survivor.
- Designates a hospital staff member to **coordinate services for survivors in collaboration with community domestic violence service providers**.

Why is this bill needed?

- Domestic violence survivors **frequently go to hospitals** for treatment, but are often **not identified as survivors or offered supportive services**.
- Hospitals are not required to identify survivors of domestic violence and they do not have the policies and procedures in place to adequately address survivor needs. This is a serious **gap in providing protection and safety to survivors of domestic violence**.

How can I support this bill?

- Sign the petition located on the table outside of the auditorium before leaving the Legislative Breakfast today.
- Contact your representatives in the NYS Assembly and NYS Senate to express your support.

Alternative Contact Information for Health Insurance Claim Information or Billing Purposes

A04060 (CYMBROWITZ)

What would this bill do?

- Shields and protects survivors of domestic violence by providing the opportunity to **designate alternative contact information** for health insurance claims or billing purposes.

Why is this bill needed?

- **Allows access to important medical and mental health care services** without fear that claim and billing correspondence will reveal the survivor's location or other sensitive medical information.
- Ensures **privacy and safety of survivors** and their dependent children from the abuser.
- Survivors will be **more likely to seek necessary assistance** if their privacy can be assured.

How can I support this bill?

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