



NEW YORK STATE SENATOR

Diane J. Savino

Savino Bill to Close Dangerous Domestic Violence Loophole Signed into Law

DIANE J. SAVINO August 5, 2011

| ISSUE: **LEGISLATURE**

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 was signed into law by Governor Cuomo Thursday.

The legislation, (S.4302A) adds 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.

“Every New Yorker should be outraged that our courts were turning away domestic violence victims seeking help on a technicality,” said Senator Savino, Chairwoman of the Senate Standing Committee on Children & Families. “I thank the Governor and my colleagues for joining together to right that very frightening wrong.”

The law, which was sponsored in the Assembly by Manhattan Assemblywoman Linda Rosenthal, takes effect immediately.