



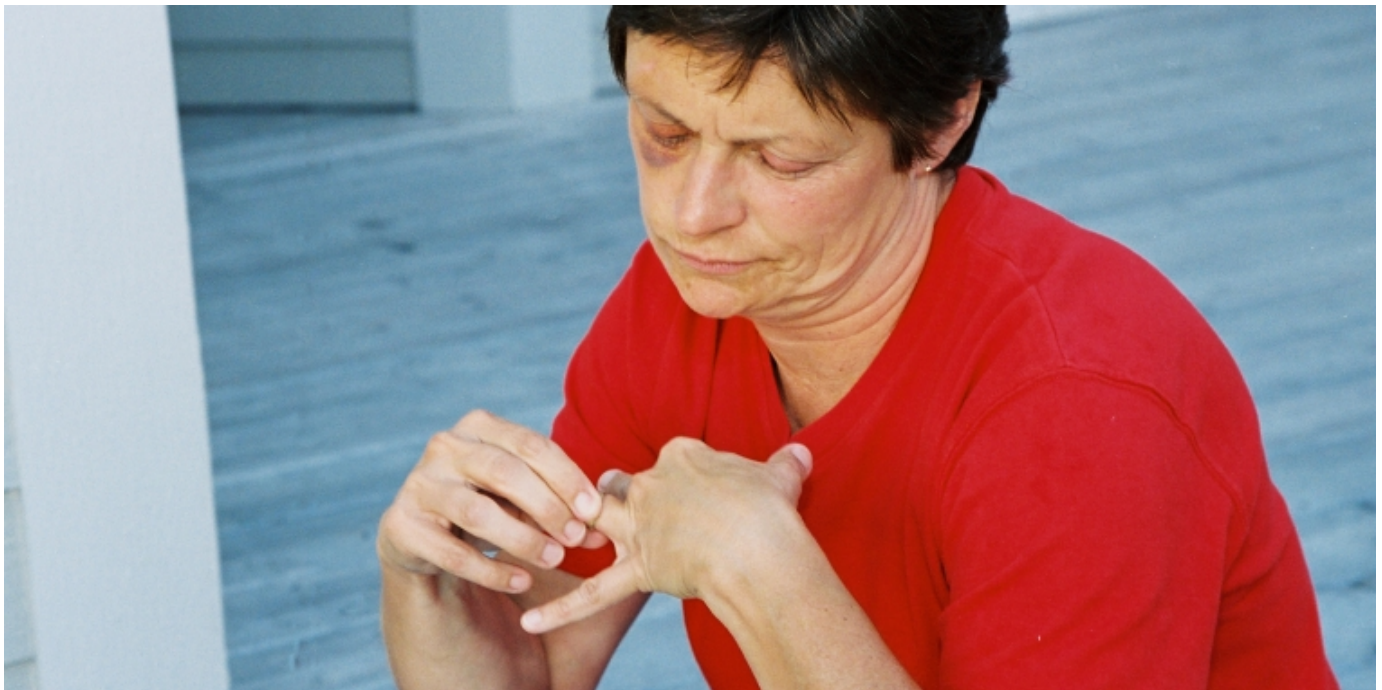
NEW YORK STATE SENATOR

Hugh T. Farley

Senator Farley Announces Domestic Violence Legislation Signed Into Law

HUGH T. FARLEY October 26, 2012

| ISSUE: **CRIME**



As October is designated as Domestic Violence Awareness Month in New York State, State Senator Hugh T. Farley (R, C, I - Schenectady) found it fitting that a new comprehensive package of legislation was signed into law this week by the Governor that protects victims of domestic violence and establishes stronger criminal penalties to punish individuals who commit acts of domestic violence.

"Although New York State already has a number of strong domestic violence protections, many domestic violence abusers repeatedly commit offenses," Senator Farley said. "This legislation will help the victim, as well as the prosecution of these crimes, and hopefully deter the offender from repeat actions."

Highlights of the domestic violence legislation include the following:

- * Expanding factors for bail consideration to include prior violations of orders of protection;
- * Creating a new felony-level crime of Aggravated Family Offense, where the defendant and victim are members of the same family or household;
- * Prohibiting a person who was served with an order of protection or charged in the death of a decedent from controlling the disposition of the person's remains;
- * Establishes within the Office for the Prevention of Domestic Violence a domestic violence fatality review team to examine factors involved in domestic violence homicides and suicides and make recommendations; and
- * Expands factors courts must consider when determining recognizance or bail for domestic violence crimes. The court must consider and take into account any prior violations of orders of protection and the defendant's history of use or possession of a firearm.