



NEW YORK STATE SENATOR

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#LetJusticeLivOn: Pregnant DV Victim who lost baby in brutal NYC attack stands with Senate GOP & unveils legislation to protect pregnant DV victims

JOHN J. FLANAGAN January 23, 2019

| ISSUE: **DOMESTIC VIOLENCE**



State Senator Cathy Young (R-C-I, 57th District) and members of the Senate Republican Conference today joined Livia Abreu, an army veteran from the Bronx who lost her baby in a vicious domestic violence attack this past May, and introduced the 'Liv Act' to protect pregnant victims of domestic violence.

The 'Liv Act,' named after the brave military paratrooper who was 26 weeks pregnant when her ex-boyfriend stabbed her six times and caused the loss of her wanted daughter, addresses a major injustice and flaw in the Reproductive Health Act (S240) which strikes from New York state law criminal charges applied to perpetrators who commit acts of violence against pregnant women.

"It is unconscionable to think that anyone would deprive a pregnant domestic violence victim the justice she deserves. A victim's attacker must be charged with every single count possible. The horrific, sheer brutality of the crime committed against Liv Abreu should never be experienced by an expectant mother. Liv's attacker snatched from her a time of joy and for that, he should pay the full price. The 'Liv Act' corrects a serious injustice and ensures that anyone who inflicts violence on a pregnant woman will be charged to the fullest extent of the law," said Senator Young.

"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," said Abreu.

The Liv Act establishes the crime of assault on a pregnant woman by expressly recognizing that violence against pregnant women is a felony. The bill would apply when there is violence done to a pregnant woman, even if it does not involve the loss of her pregnancy.

Passage of this legislation would ensure that if the Reproductive Health Act is enacted, there would still be a criminal statute in New York that recognizes that violence done to a pregnant woman puts her reproductive freedom at stake. To claim that existing laws for all who act unlawfully are sufficient for this situation ignores the very choice and freedom the RHA claims to protect. Existing criminal and civil laws fail to recognize the harm experienced by Liv and other women across the state.

After Abreu's ex-boyfriend stabbed her multiple times, he left her on the floor for a half-hour in her own blood. She bravely crawled from her third floor apartment to a neighbor's second floor home to get help. Abreu survived, but her daughter did not.

Abreu is not alone. Intimate partner violence during pregnancy is a woman's health and human rights issue according to the World Health Organization (WHO), which studied the link between intimate partner violence and pregnancy.

Some research suggests intimate partner violence might increase during pregnancy. In the United States, records from 11 cities' medical examiners and police departments also reveal an increase in intimate partner homicides.

The WHO also found that abuse can result in low birth weight, premature birth, and other complications.

Across the country, 38 states have laws on the books that hold perpetrators of violent attacks against pregnant women that result in the loss of their babies accountable. This includes California and Massachusetts. Another eight states, including Colorado, enhance existing criminal penalties for crimes committed against pregnant women.

Please join the campaign on Twitter to urge Senate Democrats to pass the 'Liv Act' with the hashtag: #LetJusticeLivOn.