



NEW YORK STATE SENATOR

David Carlucci

Senator Carlucci Supports And Protects Victims Of Domestic Violence And Sex Crimes

SENATOR DAVID CARLUCCI June 27, 2019

| ISSUE: **DOMESTIC VIOLENCE**

(Albany, NY) Senator David Carlucci (D-Rockland/Westchester) along with the Senator Majority passed legislation that will assist victims of domestic violence and sex crimes.

The bills protect victims of domestic violence from discrimination, safeguard the new addresses of victims of sexual offenses, stalking, and human trafficking, and expand the definition of coercion in the second degree to include the production or dissemination of intimate images.

Bill Sponsor, Senator David Carlucci said, "Domestic violence is a public health emergency, and we must take action now. These bills update our domestic violence laws, put survivors first, and will help save lives. Legislation I sponsor allows survivors to report an incident of domestic violence to any law enforcement agency in the state. This will help survivors take the first step in ending the cycle of abuse and seeking justice."

- **Reporting of Domestic Incidents** ([S.1243-A](#)) sponsored by Senator David Carlucci, allows a victim of a domestic incident to make a complaint to any local law enforcement agency in the state regardless of where the act took place.

- **Eligibility for the Address Confidentiality Program (S.5444)** - expands the category of eligible participants in the NYS Address Confidentiality Program to include victims of sexual offenses, stalking, and human trafficking. Essentially, this bill will help protect victims of sexual offenses, victims of stalking, and human trafficking victims by permitting them to keep their current location confidential during Court proceedings.
- **Ensuring Victims Receive Services (S.1040)** -- ensures victims of domestic violence can take time away from the workplace to obtain services, counseling or to attend court proceedings.
- **Statute of Limitation Reform (S.2416)** - increases the statute of limitation for civil suits related to injury caused by domestic violence to two years. This bill recognizes the sensitive nature of domestic violence and affords victims an extra year to bring a civil suit.
- **Enforcing Orders of Protection (S.1868)** - encourages the vigorous enforcement of orders of protection by eliminating the limited liability rules that prevent victims of domestic violence from recovering all of the civil damages owed to them. The bill removes limited liability where a defendant is found liable at trial for the victim's injuries due to failure to obey or enforce an order of protection. This bill does not change the proof required to establish liability, nor does it shift the burden of such proof.
- **Allowing Domestic Violence Victims to Cancel Contracts (S.2356)** - allows those impacted by domestic violence who have sought and received a permanent order of protection and are under a multi-year contract for phone, cable or bundle services to break the contract without penalty.
- **Domestic Violence Advocate-Victim Privilege (S.2224-B)** - prevents domestic violence advocates from disclosing any communication made by a client to the advocate except in certain, limited circumstances.

- **Mail Ballots for Victims of Domestic Violence (S.3232A)** - allows victims of domestic violence to cast a special ballot by mail.
- **Expanding the Definition of Coercion (S.4345)** - expands the definition of the offense of coercion in the second degree to include the production or dissemination of intimate images. This legislation will offer appropriate punishment to offenders and provides greater protection for victims.
- **Tenants' Rights to Call Police or Emergency Assistance (S.4657-A)** - establishes the right of tenants to call police or emergency assistance without fear of losing their housing as the result of property owner actions or local nuisance laws. This will help ensure that victims of domestic violence and crime victims can access police or emergency assistance without fear of losing their housing.
- **Authorizing Registration Records of Victims of Sexual Violence (S.257)** - allows victims of sexual violence to have their voter records sealed. This bill further extends protections to victims of sexual violence to whom anonymity is not currently provided.
- **Domestic Partners Eligibility for Crime Victims' Compensation (S.4958)** - will allow people maintaining significant and long-term, yet not legally formalized, relationships with homicide victims to be eligible for compensation from the Office of Victim Services.
- **Employment Related Transportation Expenses (S.5443)** - allows the reimbursement of employment-related transportation expenses incurred due to the physical injuries sustained as a direct result of a crime.

2019-S1243A

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to the reporting of domestic violence incidents

January 11, 2019

Senate Floor Calendar

Sponsored by **David Carlucci**

Do you support this bill?