



NEW YORK STATE SENATOR

Alessandra Biaggi

## SENATOR BIAGGI INTRODUCES BILLS TO PROTECT SURVIVORS OF DOMESTIC ABUSE AGAINST GUN VIOLENCE AND HOLD REPEAT OFFENDERS ACCOUNTABLE

ALESSANDRA BIAGGI January 10, 2020

**ALBANY, NY** – This week New York State Senator Alessandra Biaggi introduced two pieces of legislation that serve to protect survivors of domestic abuse against the threat of gun violence, and hold repeat offenders accountable for domestic violence.

**S7125** creates a new crime of “Domestic Violence” in the Penal Code that aligns with federal criteria for inclusion in the FBI’s National Instant Criminal Background Checks System (NICS). This will ensure that the names of convicted domestic violence abusers are properly entered into the NICS and those individuals are prevented from accessing deadly firearms.

**S7127** allows prosecutors to access relevant sealed records of prior domestic violence cases if the offender commits a new domestic violence offense, so that appropriate contempt charges can be prosecuted for violations of past orders.

**State Senator Alessandra Biaggi (D-Bronx/Westchester) issued the following statement:**

“Domestic violence and gun violence are intrinsically linked – every year **600 women** in the United States are tragically killed by an intimate partner using a firearm. The purpose of this bill is to ensure that convicted domestic abusers in New York are barred from purchasing a

deadly firearm in any state. By creating an additional domestic violence misdemeanor that matches the criteria for an individual to be entered into the FBI's National Instant Criminal Background Check System (NICs), we can better protect survivors of domestic abuse against the threat of gun violence.

In 2018, the Bronx had 29,762 reported incidents of domestic violence. Unfortunately, it is not uncommon for domestic abusers to harm the same victim more than once. Repeat offenders of domestic violence pose a risk to New Yorkers, and prosecutors should be aware if an accused person has already been charged for a similar crime or has violated a past order of protection against the same victim. The purpose of this bill is to give prosecutors access to relevant past orders of protection in domestic violence cases, so repeat offenders can be held accountable and charged accordingly when in violation of past protection orders.

I look forward to pushing these bills forward as we continue our work to protect survivors of abuse and address domestic and gender-based violence in New York State.”

"Domestic Abusers with firearms are five times more likely to kill their intimate partners. This legislation will ensure that our background check system is effective and prevents those convicted of domestic violence from purchasing a gun," said **Rebecca Fischer, Executive Director of New Yorkers Against Gun Violence**. "We applaud Senator Biaggi for championing a bill that will make New York's homes and communities safer."

“Senator Biaggi's bill would allow prosecutors to be better informed about past incidents of domestic violence that may have preceded a new crime. This can be crucial information in making life-and-death decisions about helping domestic violence survivors stay safe. Senator Biaggi has emerged as a real leader against gender-based violence, and the anti-violence community truly appreciates her leadership,” said **Jane Manning, Director of Advocacy for Women’s Justice NOW at the National Organization for Women – NYC**.

"S7125 will help keep survivors of domestic violence and communities across New York safe from gun violence," said **Barry Graubart a volunteer with the New York chapter of Moms Demand Action for Gun Sense in America.** "By ensuring that records of convicted domestic abusers clearly indicate that they're prohibited from having guns, this bill will ensure the effectiveness of background checks and keep guns out of the hands of dangerous abusers."

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#### RELATED LEGISLATION

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### 2019-S7125

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
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- - Passed Assembly
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- Delivered to Governor

- Signed By Governor

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Relates to establishing the crime of domestic violence

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## 2019-S7127

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- 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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Enables prosecutors to access orders of protection issued in association with sealed prior domestic violence cases

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