



Legislation Details (With Text)

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Title: Resolution calling upon the Bronx District Attorney's Office to alter its prosecution policy for domestic violence cases.

Sponsors: Fernando Cabrera, Charles Barron, Margaret S. Chin, Letitia James, Peter A. Koo, Annabel Palma, Ruben Wills, Ydanis A. Rodriguez

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Attachments:

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Res. No. 1932

Resolution calling upon the Bronx District Attorney's Office to alter its prosecution policy for domestic violence cases.

By Council Members Cabrera, Barron, Chin, James, Koo, Palma, Wills and Rodriguez

Whereas, Integrated Domestic Violence (IDV) Courts are designed to have a family's multiple cases, in which domestic violence is an underlying issue, come before a single judge; and

Whereas, This method helps minimize the time, cost, and confusion for victims of domestic violence and their families, and helps enhance overall services; and

Whereas, IDV Courts are responsible for improving the flow of information to both litigants and service providers; and

Whereas, The Bronx County District Attorney currently relies on a first-party complaint policy, which requires a domestic violence victim to sign on to a case on their own behalf prior to arraignment; and

Whereas, This requirement may not be ideal for cases involving domestic violence as the issue is deeper

than the violence itself; and

Whereas, Domestic violence cases often revolve around power and control so the first-party complaint policy may not account for many victims who may feel too threatened or powerless to come forward and complain on their own; and

Whereas, Such cases should be handled with specific rules and policies created for domestic violence circumstances; and

Whereas, All other district attorney's office in the city have a prosecution policy which prosecutes defendants regardless of whether or not the victim wishes to be involved with the case; and

Whereas, If the Bronx District Attorney's Office adopted such a prosecution policy, there would be an opportunity to prosecute a greater number of offenders, without placing any additional burden on the victims; and

Whereas, It is important for victims of domestic violence to remain unburdened during this process and this policy would help alleviate both financial and logistical burdens on the victim; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Bronx District Attorney's Office to alter its prosecution policy for domestic violence cases.

LS # 4760
LO/TM
8/15/2013