



Legislation Text

File #: Res 1904-2013, **Version:** *

Res. No. 1904

Resolution calling on the New York State Legislature to pass and the Governor to sign A.4314-B/S.3337-B, also known as “the Domestic Violence Survivors Justice Act”, which seeks to expand upon the existing provisions of alternative sentencing for domestic violence cases.

By Council Members Rose, Brewer, Dickens, James, Koslowitz, Mendez, Palma, Mark-Viverito, Rodriguez and Weprin

Whereas, According to the National Institute of Justice and the Centers for Disease Control and Prevention, one in every four women will experience domestic violence in her lifetime; and

Whereas, Studies have shown how closely domestic violence and women’s incarceration are linked with one another; and

Whereas, According to the Correctional Association of New York, nine out of ten women in New York’s prisons report being survivors of abuse and 93% of women incarcerated in New York for killing an intimate partner were abused by an intimate partner in the past; and

Whereas, Currently, under New York State law, judges do not have discretion to fully consider circumstances related to domestic violence when sentencing survivors of domestic violence for crimes they commit as a result of their abuse; and

Whereas, A.4314-B, currently pending in the New York State Assembly and companion bill S.3337-B, currently pending in the New York State Senate, also known as “the Domestic Violence Survivors Justice Act”, seek to expand upon the existing provisions of alternative sentencing for domestic violence cases by allowing judges to sentence domestic violence survivors convicted of crimes directly related to the abuse they suffered to shorter prison terms or community-based alternative-to-incarceration programs; and

Whereas, Additionally, the Domestic Violence Survivors Justice Act would allow currently

incarcerated survivors to apply to the courts to be resentenced to a shorter term; and

Whereas, Furthermore, the Domestic Violence Survivors Justice Act would help New York decrease the likelihood of domestic violence survivors being victimized by the very system that should help protect them; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass and the Governor to sign A.4314-B/S.3337-B, also known as “the Domestic Violence Survivors Justice Act”, which seeks to expand upon the existing provisions of alternative sentencing for domestic violence cases.

WJH
LS 4738
7/29/13