

NYSCADV MEMORANDUM OF SUPPORT

A.2919 Lavine/S.405 Robach

PROTECT THE RIGHTS OF VICTIMS TO ACCESS POLICE AND EMERGENCY ASSISTANCE

The New York State Coalition Against Domestic Violence (NYSCADV) urges the New York State Legislature to protect a domestic violence victim's right to call for police and emergency assistance.

NYSCADV SUPPORTS A PERSON'S RIGHT TO CALL FOR POLICE AND EMERGENCY ASSISTANCE

Victims of domestic violence (or any other person threatened with violence or in jeopardy of harm) ***should not be deterred from seeking police or emergency assistance when needed*** because of a fear that they will be evicted or that their landlord and community will take other actions to remove them from their home. This bill prevents the physical, emotional, and economic harm that nuisance ordinances cause victims of domestic violence and other crimes by amending the civil rights law to:

- Clarify that victims of domestic violence (as defined by Social Services Law §459-a) or any person who believes that he or she is in need of police or emergency assistance, have the right to call for such assistance ***without direct or indirect penalty or reprisal for doing so*** and prevents any resident or occupant from impeding on that individual's right to seek police or emergency assistance;
- Provide that municipalities cannot impose penalties on a property owner or tenant on the basis of a residential occupant's exercise of his or her right to seek or utilize police or emergency aid, and prohibit landlords from taking negative housing actions against individuals for this protected conduct; and
- Ensure that when municipalities seek to enforce local nuisance ordinances, that they must provide notice and give both the landlord and tenant an opportunity to contest.

NYSCADV urges you to support this bill to protect the right of victims to call 911. This bill is necessary to prevent homelessness, housing instability, and most importantly, future physical, emotional, and economic harm to victims of domestic violence and other crimes.

ABOUT THE NEW YORK STATE COALITION AGAINST DOMESTIC VIOLENCE

Established in 1978, the New York State Coalition Against Domestic Violence (NYSCADV) is designated by the U.S. Department of Health and Human Services as the information clearinghouse, primary point of contact, and resource center on domestic violence for the State of New York. NYSCADV is responsible for supporting the development of policies, protocol, and procedures to enhance domestic violence intervention and prevention and also provides education and technical assistance to the network of primary-purpose domestic violence service providers statewide.

For more information, contact: Connie Neal, Executive Director, 518.482.5465

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