

## 2021 Legislative Priorities

Domestic violence advocates across New York State are joining NYSCADV in supporting specific legislation to improve services and expand rights for New York's domestic violence victims. These include:

### **Rights of Domestic Violence Survivors:**

1. **A648 Rosenthal L./S66 Hoylman:** Called the Adult Survivor Act, creates one-year window for revival of otherwise time-barred civil claims arising out of sexual offenses committed against people who were 18 or older at the time of the conduct.
2. **A2068 Kim/S2986 Gounardes\*:** Requires state agencies that directly serve the public to enact policies to ensure that people who do not speak English well receive the interpretation and translation services they need in order to access vital government programs.
3. **A7775 Weinstein/S2224B\*:** Aligns NYS statute with federal provisions ensuring the confidentiality of conversations between domestic violence advocates and survivors.
4. **A9585 DeLaRosa/S5322 Parker\*:** Permits domestic violence survivors to break utility contracts without penalty if they provide a police report, DIR or affidavit from an advocate, attorney or healthcare provider.
5. **A11108 Hevesi/S9030A Biaggi\*:** Requires New York State to pay all costs to ensure individuals in temporary shelters have access to the Internet.

### **Rights of Incarcerated Survivors:**

1. **A211 Rosenthal L./S401 Biaggi:** Establishes a women's health education program in state and local correctional facilities to educate facility medical staff on the special medical needs of women, including training on providing professional, respectful and informed care of women who have been victims of domestic and/or sexual violence.
2. **A616 Rosenthal L./S399 Biaggi:** Permits an incarcerated woman to have one support person of her choosing accompany her into the delivery room during birth of a child. Also requires state correctional facilities to inform inmates of the ability to apply to any nursery program run by the department.

### **Family Court:**

1. **A5621 Weinstein/S4686 Biaggi\*:** Enables parents and their attorneys to obtain copies of court-ordered child custody evaluations and the underlying information supporting the evaluation.
2. **Kyra's Law (to be introduced):** Prioritizes the health and safety of children over other best interest factors in child custody and visitation proceedings; sets requirements for judicial training in DV and child abuse; restricts admissibility of parental alienation and other non-scientificallly valid theories.
3. **A10668 Hunter/S8549 Sanders\*:** Establishes guidelines for custody agreements, including those involving child abuse or domestic violence, and the awarding of supervised or unsupervised visitation for offending parents.
4. **S8954A Metzger\*:** Requires certain judges and justices to receive at least 10 hours of training every two years on issues relating to domestic violence.

\* Listed bill numbers are from the 2019-2020 legislative session and will be updated when they are re-introduced by bill sponsors for the 2021-2022 legislative session.

(continued)

**Prevention:**

1. **A6512 Nolan/S4844 Metzger\***: Requires K-12 comprehensive sexuality instruction for students in grades K-12 which addresses age and developmentally appropriate physical, mental, emotional and social dimensions of human sexuality, healthy relationships, consent and the use of technology and social media in intimate relationships.
2. **A8447 Ramos/S7931 Salazar\***: Raises the minimum age of consent for marriage to 18 years of age without exceptions.

**Criminal Justice System:**

1. **A324 Zebrowski**: Expands definition of coercion in the second degree to include the production or dissemination of intimate images, and expands definition of a sex offense to include coercion in the second degree.
2. **A459 Gottfried/S674 Ramos**: Strengthens protections for victims of sex and labor trafficking by vacating convictions related to their victimization.
3. **A544 Braunstein**: Expands the definition of the offense of aggravated harassment in the second degree to include contacts via text, email or other electronic communication.
4. **A654 Paulin/S2253 Hoylman\***: Repeals provisions related to loitering for the purpose of engaging in prostitution. The current law disproportionately impacts cisgender and transgender women of color, women previously arrested for prostitution offenses and trafficking victims.
5. **A2144 Solages/S3298 Kaplan\***: Expands definitions of extortion and coercion to include making threats to cause an individual's deportation or to affect immigration status.
6. **A10720 Hunter/S8582 May\***: Establishes that a person who is a witness to, suspect or victim of an incident under investigation cannot consent to sexual contact with a law enforcement officer.
7. **A11007 Joyner**: Modifies the definition of family and household members to enable an individual who assaults their significant other's family to be charged with a family offense, regardless of whether they are or are not married to their partner.

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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 works to create and support the social change necessary to prevent and confront all forms of domestic violence. NYSCADV's policy agenda employs both legislative and systems change advocacy to support the needs of domestic violence survivors and their families and the programs that support them.

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