

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. **A465 Rozic/S1555 Myrie:** Enables domestic violence survivors to keep their election registration information confidential without having to obtain a court order.
2. **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.
3. **A3436 Kim:** 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.
4. **A2520 Weinstein/S1789 Sanders:** Aligns NYS statute with federal provisions ensuring the confidentiality of conversations between domestic violence advocates and survivors.
5. **A4496 DeLaRosa/S1557 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.
6. **A3912 Hevesi/S3593 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. **S753 Biaggi:** Enables parents and their attorneys to obtain copies of court-ordered child custody evaluations and the underlying information supporting the evaluation.
2. **A5398 Hevesi:** Establishes Kyra's Law, which 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-scientific valid theories.
3. **A3314 Hunter/S1584 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. **S4837 Biaggi:** Requires certain judges and justices to receive at least 10 hours of training every two years on issues relating to domestic violence.

(continued)

Prevention:

1. **S2584 Brook:** Requires 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. **A3891 Ramos/S3086 Salazar:** Raises the minimum age of consent for marriage to 18 years of age without exceptions.

Criminal Justice System:

1. **A324 Zebrowski/S2986 Brook:** 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. **A544A Braunstein/S1477A Krueger:** Expands the definition of the offense of aggravated harassment in the second degree to include contacts via text, email or other electronic communication.
4. **A3355 Paulin/S1351 Hoylman:** Repeals provisions related to loitering for the purpose of engaging in prostitution. The prior law disproportionately impacted cisgender and transgender women of color, women previously arrested for prostitution offenses and trafficking victims. *Signed into Law. Chapter 23 of Laws of 2021. Effective immediately.*
5. **A3412 Solages/S343 Kaplan:** Expands definitions of extortion and coercion to include making threats to cause an individual's deportation or to affect immigration status.
6. **A4484 Hunter/S2153 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. **A5718 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.

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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