News Articles

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GOV. CUOMO ANNOUNCES COMPREHENSIVE PACKAGE TO COMBAT DOMESTIC VIOLENCE AND GENDER-BASED VIOLENCE AS PART OF 2021 STATE OF THE STATE

Governor Andrew M. Cuomo today announced a comprehensive package of initiatives to combat domestic violence and gender-based violence as part of the 2021 State of the State. The package includes a proposal allowing courts to require abusers to pay for damages to the housing unit, moving expenses, and other housing costs related to domestic violence, as well as a proposal to require the Office of Court Administration report domestic violence felony statistics to the New York State Division of Criminal Justice Services monthly.

Additionally, the Office for the Prevention of Domestic Violence will be transformed into a reimagined agency, the Office to End Domestic and Gender-Based Violence, and will be tasked with addressing the intersection of the many forms of intimate partner violence, including domestic violence and sexual violence, in a survivor-centered and comprehensive manner.

"One of the most horrific results of this pandemic has been the stark rise in cases of domestic and gender-based violence," Governor Cuomo said. "New York has long been a national leader in the fight to end these despicable acts and we will continue to blaze the path forward toward a safer future for all. Not only are we fighting to ensure abusers are forced to pay for the damage they create and strengthening our laws to keep guns out of their hands, but we are also reimagining the way government supports survivors and gets them the resources they need to move on with their lives."

"Under the leadership of Governor Cuomo, New York has long led the nation's fight against domestic violence and with the tragic increase in this heinous acts spurred on by the pandemic, we are doubling-

down on those efforts," said Melissa DeRosa, Secretary to the Governor and Chair of the New York State Council on Women and Girls. "This disgusting behavior must end and to do that, we are fighting to ensure abusers can no longer exploit loopholes to obtain guns and are the ones forced pay for the results of their devastation. However, it doesn't end there -- we need to reimagine how government supports survivors and gets them the resources they need. Through the new Office to End Domestic and Gender-Based Violence, New York will embark on a holistic, survivor-focused approach towards helping rebuild lives."

While New York has made remarkable progress on housing rights, the State must continue to maintain its strong commitment by taking bolder steps forward. In line with that goal, Governor Cuomo is proposing to allow courts to require abusers to pay for damages to the housing unit, moving expenses, and other housing costs related to domestic violence.

Currently, in order to disqualify individuals found guilty of serious misdemeanors from obtaining a New York gun license, they must be found to have committed the crime against someone with whom they were in a domestic relationship after a separate hearing. Many disqualifying domestic violence misdemeanors are not "labeled" as such because the process to label state-disqualifying DV misdemeanors is cumbersome. While New York took a step towards closing this loophole in 2020 by ensuring that court clerks report these disqualifying convictions in a timely manner, some convicted of serious misdemeanors may still be able to purchase a gun if this multi-step process is not followed. As a result, some convicted of serious misdemeanors have still been allowed to purchase a gun. Governor Cuomo proposes the creation of a domestic violence misdemeanor label to close the domestic violence gun-purchasing loophole. In addition, the Governor will propose legislation to require the Office of Court Administration report domestic violence felony statistics to the New York State Division of Criminal Justice Services monthly to ensure that domestic violence incidents are able to be counted.

Further, by creating the Office to End Domestic and Gender-Based Violence, Governor Cuomo is building a permanent and unified hub of policy and state-of-the-art programming for New Yorkers facing gender-based violence, bringing together multiple efforts to address gender-based violence throughout state government. The Office will encourage collaboration among agencies and service providers, eliminate redundant processes, cut red tape, and permanently install the fight for gender equality and justice for survivors as a pillar of New York state government.

The tenacity of New York women and the Governor's commitment to gender equity has kept the issues of domestic violence and sexual assault prevention at the top of New York State's agenda. Throughout his time as Governor, Governor Cuomo has signed extensive legislation relating to ensuring safety for girls, women, and all survivors of domestic trauma and abuse, including legislation in the FY2021 budget authorizing law enforcement to remove guns from the scene of a domestic violence incident, and requiring

judges to consider the effects of domestic violence while determining distribution of marital property. Acknowledging that college students have the right to a safe, healthy, and nurturing environment free from

discrimination and violence, Governor Cuomo signed the Enough is Enough law in July, 2015 to address sexual assault, dating violence, domestic violence, and stalking on college campuses.

Following a spike in domestic violence during the COVID-19 pandemic, Secretary to the Governor Melissa DeRosa and the New York State Council on Women and Girls announced in May 2020 the creation of a new task force to find innovative solutions to this crisis. Through the Governor's Council on Women and Girls, the 2019 Domestic Violence Task Force, and the 2020 COVID-19 Domestic Violence Task Force, Governor Cuomo's administration has collected recommendations from providers, survivors, family members and administrators and begun to implement a comprehensive flexible-funding model to support a continuum of services based on each survivor's needs. The model also supports survivors by enhancing systemic responses that hold abusers accountable and decrease their levels of lethality.

Among the programs already underway are a new 24/7 text and chatline for those experiencing domestic and sexual violence, a housing navigator pilot to enhance housing options for survivors, the creation of a statewide data collection system, new training and resources for those working with incarcerated populations and immigrants, a listening tour to speak directly with survivors regarding their needs, and enhanced communication regarding shelter availability.

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