Legislation Details (With Text)

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Title: Resolution calling upon the appropriate committee of the New York City Council to hold a hearing on the policy of each of the City's District Attorneys regarding domestic violence complaints.

Sponsors: Margarita Lopez, Maria Baez, Leroy G. Comrie, Jr., James Sanders, Jr., Yvette D. Clarke, Christine C. Quinn

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Attachments:

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Res. No. 233

Resolution calling upon the appropriate committee of the New York City Council to hold a hearing on the policy of each of the City's District Attorneys regarding domestic violence complaints.

By Council Members Lopez, Baez, Comrie and Sanders; also Council Members Clarke and Quinn

Whereas, Domestic violence remains a serious issue, as indicated by the 233,617 domestic incident reports prepared by the Police Department in Fiscal 2001 and the 4, 013 arrests for violating orders of protection in Fiscal 2001; and

Whereas, At an October 1999 joint hearing of the Public Safety, General Welfare and Women's Issues Committees, many advocates testified regarding the difficulties encountered by victims of domestic violence; and

Whereas, Victims of domestic violence often feel intimidated not only by their batterers but by the criminal justice system; and

Whereas, According to Anne Connors, Executive Director of the Coalition of Battered Women's Advocates, police are arresting domestic violence victims a day or two after a batterer files a cross-complaint, without applying the "primary aggressor" factors of Criminal Procedure Law § 140.10 or investigating whether the complaint is retaliatory; and

Whereas, These dual arrests are sent to the offices of the five District Attorneys as cross complaints, which by their nature are difficult to prosecute; and

Whereas, Although the issues surrounding police response to domestic violence articulated at the October 1999 hearing are important, it is also imperative to understand how the Police Department and District Attorneys coordinate domestic violence cases, and how the District Attorneys respond to domestic violence complaints and cross complaints; now, therefore, be it

Resolved, That the appropriate committee of the New York City Council hold a hearing on the policy of each of the City's District Attorneys regarding domestic violence complaints.

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