



Legislation Text

File #: Res 0859-2011, **Version:** *

Preconsidered Res. No. 859

Resolution in support of A.6113/S.1870, an act to amend the Family Court Act and the Criminal Procedure Law, in relation to the duties of interpreters appointed by the courts in certain cases.

By Council Members Mendez, James, Weprin and Williams

Whereas, Domestic violence situations often require the use of orders of protection to assist in protecting the victims; and

Whereas, Orders of protection are provided through both criminal and family courts; and

Whereas, These court orders document and detail specific behaviors that cannot be committed; and

Whereas, If an order is violated once served, the violator can be arrested and charged with more serious crimes; and

Whereas, Due to the serious nature of domestic violence incidents, it is imperative that a person or persons protected by an order of protection understand his/her rights and recourse under the law; and

Whereas, It is also of great importance that a perpetrator or respondent understand what he/she can or cannot do and the consequences of violating the order served upon them; and

Whereas, Language barriers can make any document, situation, or instruction difficult to comprehend, especially legal documents and court mandated behaviors; and

Whereas, New York State Courts provide interpreters for proceedings if interpreters are requested and/or deemed necessary by the assigned Judge; and

Whereas, Interpreters are currently not used to translate orders of protection; and

Whereas, In March 2011, the New York State Assembly passed A.6113, an act that would amend the Family Court Act and the Criminal Procedure Law in relation to the duties of interpreters appointed by the

courts in certain cases; and

Whereas, The Senate companion bill, S.1870 was introduced in January 2011, but no vote has been taken; and

Whereas, A.6113/S1870 would require a court issuing an order of protection to direct a court appointed interpreter already appointed to assist in a proceeding to also translate the essential terms and conditions of any order of protection issued by the court, as so outlined by the court; and

Whereas, Domestic violence is a serious societal and criminal issue that requires the full attention of the criminal justice system, and the use of interpreters will ensure that the victims are provided with greater protection and assist in deterring future violence; now, therefore, be it

Resolved, That the Council of the City of New York supports A.6113/S.1870, an act to amend the family court act and the criminal procedure law, in relation to the duties of interpreters appointed by the courts in certain cases.

JP
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