

2024 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 and Advocates:

1. **A1980 Walker/S901 Brisport:** Requires child protective services to orally and in writing to disclose information to parents and caretakers who are the subject of a child protective services investigation regarding their rights, such as right to counsel and right to refuse medical testing without a court order.
2. **A2413 Paulin/S2102 Harckham:** Requires police officers responding to DV incidents to take temporary custody of firearms and extends the time law enforcement must hold seized weapons to 120 hours.
3. **A5629 Reyes/S5131 Webb:** Permits retired public employees to change their option election or select a new beneficiary if their beneficiary is convicted of a family offense of which the member is a complainant.
4. **A8437A Hevesi/S7793A Persaud:** Adds residential and non-residential DV programs, OVS-licensed crime victim service programs and DOH-licensed rape crisis programs, among others, to designated human services programs eligible for cost-of-living adjustment.
5. **A9593 Rosenthal L.:** Enhances protections for DV survivors opting to break telecom contracts with abusers by prohibiting companies from transferring contractual or billing responsibility to other account holders, preventing companies from prohibiting a person who has opted out to enter into a new contract.
6. **A9616 Rosenthal L./S9174 Gounardes:** Requires vehicle manufacturers and dealers to terminate an abuser's access to remote vehicle technology at the request of a DV survivor who shows proof of ownership and an order of protection.
7. **S2061 Stavisky:** Prohibits police responding to a DV incident from asking victims about their immigration status; if such status is ascertained and would result in adverse immigration consequences to the victim, the officer shall not report such information to any law enforcement agency.

Economic Justice:

1. **A1309B Rosenthal L./S2278A Cleare:** Prohibits creditors from enforcing a consumer debt incurred as a result of fraud, intimidation, identity theft, exploitation of debtor's personal information or similar economic abuse perpetrated against the debtor; establishes a right of action by the debtor for declaratory and injunctive relief against creditors for violation.
2. **A5500A Rosenthal L./S5270A Persaud:** Increases the basic needs allowance for Cash Assistance, which covers necessities such as clothing, diapers, hygiene products, over the counter medication and transportation. The allowance hasn't been increased since 2012.
3. **A5507 Rosenthal L./S8655 Cleare:** Increases the monthly allowance for individuals and families residing in emergency shelters. This allowance hasn't been increased in more than two decades.
4. **A5689 Davila/S2705B Persaud:** Updates and expands the resources than an applicant of public assistance may possess without affecting eligibility for assistance.
5. **S2143A Persaud:** Creates a self-sufficiency standard study to determine how much income is needed for a family in a given geographic location to adequately meet basic needs without assistance. (PASSED SENATE)

Prevention:

1. **A4604 Gonzalez-Rojas:** 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.

Civil and Criminal Justice System:

1. **A2479 Hevesi/S902 Brisport:** Requires a caller making a report of suspected child abuse or maltreatment to the central registry to leave their name and contact information.
2. **A2750 Hevesi/S4149 Palumbo:** Prohibits courts from using forensic child evaluators or allowing a forensic child custody report into evidence in a child custody or visitation proceeding.
3. **A3346C Hevesi/S3170C Skoufis:** Known as Kyra's Law, prioritizes the safety of children in child custody and visitation proceedings; sets requirements for judicial training in DV and child abuse; restricts admissibility of parental alienation and other non-scientifically valid theories.
4. **A3771 Weinstein/S4434 Fernandez:** Enables parents and their attorneys to obtain copies of court-ordered child custody evaluations and the underlying information supporting the evaluation.
5. **A4992 Paulin:** Allows evidence of a defendant's prior sexual assault to be admissible in a sexual assault proceeding.
6. **A5873 Lavine/S3340 Mayer:** Ensures temporary and final Extreme Risk Protection Orders are included in the existing statewide computerized registry of orders of protection and warrants of arrest.
7. **S2084 Harckham:** Prohibits forensic child custody evaluators who have been terminated for cause from appearing as an expert witness in family court custody and visitation proceedings.

Housing:

1. **A1113 Stirpe/S936 Bailey:** Requires statewide housing authorities, in reviewing applications for housing, to grant DV survivors the same priority granted to other disenfranchised populations such as the disabled, the elderly and the homeless.
2. **A2583 Hevesi/S15 Gouardes:** Addresses the system-wide lack of shelter for single adults by reimbursing DV providers for any payment differential for housing a single individual in a room intended for double occupancy.
3. **A5504 Rosenthal L.:** Reforms the method by which New York State funds DV services by eliminating the per diem reimbursement system and permitting OCFS to enter into contracts directly with DV programs.
4. **A5543 Rosenthal L./S2982 Kavanagh:** Increases Cash Assistance rent payments (the "shelter allowance") up to 100% of the U.S. Department of Housing and Urban Development's Fair Market Rent.
5. **A5649A Reyes/S4561A Gonzalez:** Requires New York State to pay all costs to ensure individuals living in temporary shelters, including DV shelters, have access to the Internet.
6. **S2721 May:** Guarantees the right of every tenant across the State the right to a lawyer when facing eviction; requires courts, judges and landlords to ensure that tenants know about and can use their right to counsel.

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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