

Declaration of Freedom from Domestic Violence as a Human Right - Resolution

By Alderperson Mohlenhoff: Seconded by Alderperson Brock

WHEREAS, the City of Ithaca Common Council seeks to enhance the public welfare by declaring that freedom from domestic violence is a fundamental human right, and

WHEREAS, domestic violence or intimate partner violence is the physical, sexual, or emotional abuse of men, women, and children by their intimate partners or immediate family members, and

WHEREAS, domestic violence is a human rights concern that affects individuals of every gender, sexual orientation, race, age, nationality, religion, and economic status, and

WHEREAS, survivors of domestic violence must deal with the effects of physical injuries, long-term psychological damage, financial instability, and trouble finding safe housing, and

WHEREAS, domestic violence has a deeply negative impact on children who are exposed to it, and

WHEREAS, more than 1 in 3 women and more than 1 in 4 men in the United States will experience rape, physical violence, and/or stalking by an intimate partner during their lifetimes, according to the Centers for Disease Control and Prevention, and

WHEREAS, 87 women and men in New York State died as a result of intimate partner homicide in 2013, and

WHEREAS, in 2013, law enforcement agencies in New York State outside of New York City responded to 189,152 domestic violence incidents and reported 31,106 assaults committed by intimate partners, 80% of which were committed against women, and

WHEREAS, New York State courts issued 300,236 orders of protection in 2013, nearly 210,000 of which were required to be recorded in the Unified Court System's Domestic Violence Registry, and

WHEREAS, in Tompkins County, law enforcement agencies reported an average of 147 victims of domestic violence offenses per year between 2010 and 2013, and

WHEREAS, in 2013, the Advocacy Center of Tompkins County answered 2,055 calls on its domestic violence and sexual assault hotline and served 212 new adult domestic violence clients, including providing shelter for 37 adults and their 25 children and helping 72 individuals obtain final orders of protection from the courts, and

WHEREAS, the United Nations has recognized that freedom from domestic violence is a human right affecting the realization of many other rights and freedoms and that governments have a responsibility to prevent and respond to such violence, and

WHEREAS, the United Nations Special Rapporteur on Violence Against Women has stated that domestic violence is a “pervasive human rights violation;” that responses to violence should recognize human rights as a premise; and that the United States’ “lack of substantive protective legislation at federal and state levels, and the inadequate implementation of some laws, policies and programmes, has resulted in the continued prevalence of violence against women and the discriminatory treatment of victims, with a particularly detrimental impact on poor, minority and immigrant women”, and

WHEREAS, in 2011, the Inter-American Commission on Human Rights found in *Jessica Lenahan (Gonzales) v. United States* that the United States’ failure to protect women from gender-based violence constitutes discrimination and a human rights violation and urged the United States to enact law and policy reforms at all levels to protect survivors of domestic violence and their children; and

WHEREAS, law enforcement, courts, cities, counties, towns, villages, social service agencies, and other local government entities constitute the first line of defense against domestic violence, and

WHEREAS, over the past 25 years, Tompkins County has been a leader in domestic violence response by introducing a number of initiatives, including the establishment of an Integrated Domestic Violence Court, and

WHEREAS, by recognizing that freedom from domestic violence is a human right, the City of Ithaca will raise awareness and enhance domestic violence response and education in communities, the public and private sectors, and within government departments; now, therefore be it

RESOLVED, That Common Council hereby approves the following:

1. That the City of Ithaca joins world leaders and leaders in the United States in recognition of domestic violence as a human rights concern and declares that freedom from domestic violence is a fundamental human right;
2. That state and local governments should continue to secure this human right on behalf of their citizens;
3. That this resolution shall serve as a charge to all City of Ithaca departments and offices to incorporate these principles into their policies and practices and to ensure that those policies and practices are informed by domestic violence survivors’ voices and needs;
4. That the City of Ithaca shall undertake, together with community partners, a study of the causes of local domestic violence incidents and of the gaps and barriers in the City’s service delivery to survivors of domestic violence, with the goals of preventing domestic violence, strengthening the City’s response to domestic violence, and improving the provision of services to survivors; and

That a copy of this resolution shall be sent to Chief of Police John R. Barber, the Village Mayors and Town Supervisors in Tompkins County, the Honorable Chairs and Members of the Tompkins County Council of Governments, the Tompkins County Office of Human Rights, the Tompkins County Sheriff, the Police Chiefs for the Villages of Cayuga Heights, Dryden, Groton, and Trumansburg, the Cornell University Police Chief, the Ithaca College Public Safety Director, the Tompkins Cortland Community College Campus Safety Director, the New York State Police Troop C Station Commander, the Tompkins County District Attorney, the judges in Tompkins County, Governor Andrew Cuomo, Assembly Speaker Carl E. Heastie, Assemblywoman Barbara Lifton, Senate Majority Coalition Leaders Dean Skelos and Jeff Klein, and Senator Thomas O'Mara.

Carried Unanimously (9-0)

**STATE OF NEW YORK
COUNTY OF TOMPKINS SS:
CITY OF ITHACA**

I, Julie Conley Holcomb, City Clerk of the City of Ithaca, do hereby certify that the foregoing resolution is a true and exact copy of a resolution duly adopted by the Common Council of said City of Ithaca at a regular meeting held on the 4th day of March, 2015, and that the same is a complete copy of the whole of such resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the Corporate Seal of the City of Ithaca, this 6th day of March, 2015.

Julie Conley Holcomb, CMC
City Clerk
City of Ithaca, New York