Proclamation of the Albany County Legislature
Concerning the Freedom from Domestic Violence as a Fundamental Human Right

FOR the purpose of joining world leaders and leaders within the United States in recognition of domestic violence as a human rights concern and declaring that the freedom from all domestic violence, regardless of whether inflicted by a current or former spouse, a current or former intimate partner, or a family member is a fundamental human right.

WHEREAS, world leaders and leaders within the United States recognize that domestic violence is a human rights concern; and

WHEREAS, in 2011, the United Nations Special Rapporteur on Violence Against Women identified several deficiencies in the regulation of domestic violence in the United States, including the need to explore more uniform remedies for victims of domestic violence; the need to re-evaluate existing mechanisms for protecting victims and punishing offenders at federal, state, and local levels, given that calls for help often do not result in either arrests or successful prosecutions; and the need for additional public education campaigns that condemn all forms of violence; and

WHEREAS, on August 17, 2011, the Inter-American Commission on Human Rights found the United States in violation of Articles I, II, VII, and XVII of the American Declaration for breaching its duty to protect Jessica Lenahan and her children from domestic violence; 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 at some point in their lives, according to the Centers for Disease Control; and

WHEREAS, 44% of African American women, 37% of Hispanic women, and 35% of white women have experienced rape, physical violence, and/ or stalking by an intimate partner; and 39% of African American men, 27% of Hispanic men, and 28% of white men have experienced rape, physical violence, and/or stalking by an intimate partner, according to the Centers for Disease Control; and

WHEREAS, 73 New Yorkers died as a result of intimate partner homicide in 2010 according to the New York State Office for the Prevention of Domestic Violence; and

WHEREAS, the Domestic Violence Legal Connection of the Capital District Women's Bar Association Legal Project provided pro bono and reduced fee civil representation to 1,209 victims of Domestic Violence in 2010; and

WHEREAS, Equinox provided services to 1,612 persons who experienced domestic violence in 2010 either in person or over the telephone on their 24-hour domestic violence hotline including; providing shelter for 237 adults and their 116 children and helping 374 victims obtain final orders of protection from the courts; and

WHEREAS, New York Courts issued a total of 301,488 orders of protection in 2010, of which 219,876 were required to be recorded in the Unified Court System's Domestic Violence Registry; and

WHEREAS, the number of required orders of protection issued in New York State increased 6% from 2009 to 2010 and 34% from 2007; and

WHEREAS, in 2010, almost 1,100 individuals under the age of 21 filed family offense petitions in New York State Family Courts under the expanded definition of "intimate relationship," a 22% increase from 2009; and

WHEREAS, 11% of New York State high school students surveyed in 2009 reported that they were hit, slapped or physically hurt on purpose by their boyfriend or girlfriend; and

WHEREAS, the New York State Division of Criminal Justice Services reports that 4,705 Albany County residents were victims of domestic violence offenses in 2009 and 2010; and

WHEREAS, in 2010 and 2011, the Office of Court Administration indicates that over 3,000 temporary or final orders of protection were issued in Albany Family Court; and

WHEREAS, in 2011 there were over 9,400 reported cases of domestic violence in the Capital District alone – some of the highest reported numbers of any district in New York State; and

WHEREAS, survivors of domestic violence experience physical injuries, long-term psychological damage, financial instability, trouble finding safe housing; and

WHEREAS, police and sheriff's departments, courts, cities, counties, social services agencies, and other local government entities constitute the first line of defense against domestic violence.

NOW, THEREFORE, BE IT RESOLVED BY THE ALBANY COUNTY LEGISLATURE, this Body joins world leaders and leaders within the United States in recognition of domestic violence as a human rights concern and declares that the freedom from domestic violence is a fundamental human right.

AND BE IT FURTHER RESOLVED, that local governments should continue to secure this human right on behalf of their citizens.

AND BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the Albany County Executive, the Albany County District Attorney, the Albany County Sheriff's Department and the Albany County Courts.