

# Monroe County Legislature

**TED O'BRIEN**  
LEGISLATOR-DISTRICT 17

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LEGISLATOR-DISTRICT 17  
120 THURLOW AVENUE  
ROCHESTER, NEW YORK 14609  
RES. (585) 654-9379  
BUS. (585) 428-2040  
E-MAIL: hcoemo@frontiernet.net

March 7, 2005

To the Honorable  
Monroe County Legislature  
407 County Office Building  
39 West Main Street  
Rochester, NY 14614

**Re: Memorializing the New York State Legislature to Renew the Mandatory Arrest and Primary Aggressor Law Contained Within the Family Protection and Domestic Violence Intervention Act of 1994**

Honorable Legislators:

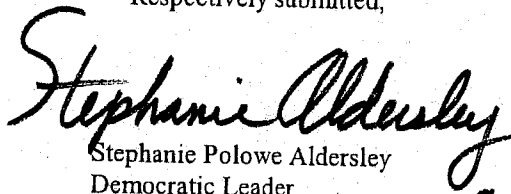
Scheduled to sunset on September 1, 2005, mandatory arrest has been key to New York State's zero tolerance message against domestic violence. The NYS Office for the Prevention of Domestic Violence (OPDV) and the NYS Division of Criminal Justice Services (DCJS) jointly analyze and evaluate the impact of the provisions on victims of domestic violence and their families and deliver these reports to the Governor.


As a result of this analysis, the OPD/DCJS Report also makes several key legislative and policy recommendations, including (but not limited to):


- Removal of the sunset provision or, as an alternative, have the provision extended an additional (5) five years.
- Inclusion of an expanded definition of "family and household member" to include non-married couples and an extension of the mandatory arrest and primary physical aggressor provisions on behalf of this new class of victims.
- Increased training for police officers, prosecutors, and judges on mandatory arrest and primary physical aggressor provisions, as well as evidence based prosecution in domestic violence cases.


We urge our colleagues to join us in encouraging the New York State Legislature to extend this law at least an additional (5) five years. Furthermore, we encourage the Legislature to use this sunset occasion to craft expansions and enhancements, which will better protect victims of domestic violence and their families and hold batterers accountable.

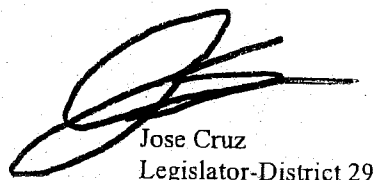
Respectively submitted,

  
Stephanie Polowe Aldersley  
Democratic Leader

  
Edward M. O'Brien  
Legislator-District 17

  
Carla M. Palumbo  
Assistant Democratic Leader

  
Lynda Garner Goldstein  
Legislator-District 14

  
Jose Cruz  
Legislator-District 29