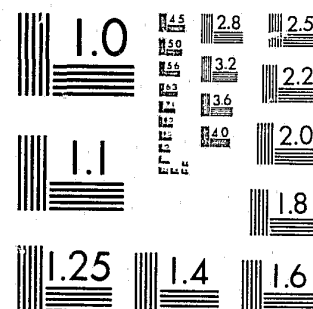


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National Institute of Justice  
United States Department of Justice  
Washington, D. C. 20531

5/7/86

# DOMESTIC VIOLENCE:

SECOND REPORT TO THE GOVERNOR  
AND THE LEGISLATURE

## TASK FORCE ON DOMESTIC VIOLENCE

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Rory Fields, Co-Chairperson

STATE OF NEW YORK  
Governor L. Carey, Governor

NOVEMBER 1982

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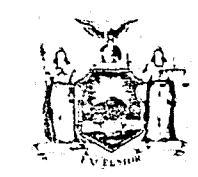
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GOVERNOR'S TASK FORCE ON DOMESTIC VIOLENCE

November 1982

To Governor Hugh L. Carey and Members of the New York State Legislature

This second report of the Task Force on Domestic Violence summarizes the substantial progress we have made over the last two years. It details the considerable number of innovative and effective projects we have initiated and implemented. Such accomplishment would not have been possible without the dedication, insight and energy of our members, the Advisory Board and their designees. It grows as well from the support and encouragement you have given us.

We owe a general debt of gratitude to all Task Force Advisory Board members and specific thanks to a number of people who have offered invaluable assistance and cooperation. We have relied on the caring attention and staff aid that Ilene Margolin, Executive Director of the Council on Children and Families, provided us. The Department of Social Services, under Barbara Blum, willingly instituted vital changes in policy and practice. The Division of Criminal Justice Services, under the direction of Frank Rogers, has broken new ground in training and outreach. Finally, we are deeply indebted to Jeanne Kwartler for her wisdom, skill and passionate belief in the purpose of our work.

That work, which has begun resolving some of the legal and practical difficulties facing victims of domestic violence, demonstrates the value of cooperation among the Executive, Legislature and the community. Still, we have not met our long term goal: the reduction and then the eradication of domestic violence. We must continue, then, to work and we count on your continuing commitment. One day together we will assure that the home is a true haven of family love and security.

Sincerely,

*Karen S. Burstein*  
Karen S. Burstein

*Marjory D. Fields*  
Marjory D. Fields

\* Agency affiliation of members of the Advisory Board and their designated representatives appears in the Appendix.

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ACQUISITIONS

## TASK FORCE REPORT

### INTRODUCTION

The Governor's Task Force on Domestic Violence was established by Executive Order Number 90 on May 17, 1979, to "advise the Governor and the Legislature as to the most effective way for state government to respond to the critical law enforcement and social problems posed by domestic violence". The Task Force has 30 members, who are police officers, attorneys, judges, shelter staff, social workers, former victims, nurses, physicians, educators, community workers, clergy, and counselors from all parts of the State.

With its mandate, the Task Force has initiated a wide range of activities directed toward four general goals: to create an understanding of the scope of the domestic violence problem in New York State; to provide an accurate assessment of the needs of families affected by violence; to identify weaknesses in the various institutions intended to protect family members from violence; and to formulate and implement proposals for more effective responses by the social, legal and medical systems. In 1980 the Task Force submitted a report to the Governor and the Legislature which represented the first product of our deliberations. This report contained 21 recommendations for improvement of the law and helping systems.

The Task Force has made tremendous progress toward fulfilling these goals and recommendations due to Governor Carey's unswerving commitment to improved services for domestic violence victims, and the bipartisan support of the legislative leaders: Assembly Speaker Stanley Fink, Senate Majority Leader Warren M. Anderson; Assembly Minority Leader James L. Emery; and Senate Minority Leader Manfred Ohrenstein. The commissioners and directors of nearly every state department, division and agency who comprise the Advisory Board of the Task Force, share equal credit for the speed and extent

of improved responses, because they willingly instituted the changes in policy and practice which effected many of our recommendations. Grassroots groups, lay volunteers, non-profit agencies, and various professionals participated by providing critical information from their first-hand experience to assure that the recommendations were practical and relevant. Thus, the Task Force functions as a catalyst, presenting new ideas and facilitating their adoption through cooperation among government, private groups and individuals.

Achievement of many of the goals has produced a clearer vision of the problems. New priorities have emerged from our ongoing evaluation of the effectiveness of our social and legal response systems. Although the Task Force is proud of the success which it has had in fulfilling its mandate, thousands of family members in New York continue to be beaten in their homes. Therefore, the long-term goal -- the prevention of domestic violence -- still needs significant and continuous attention by federal, state and local governments, as well as community groups.

### I. DOMESTIC VIOLENCE CONTINUES

Domestic violence is the physical or psychological abuse of one family member by another. This violence occurs in all social groups. Any family member can be a victim, but experience has shown that women, children and elderly relatives are the most frequent victims.

Although much has been done to protect victims and members of their families, domestic violence continues to be a serious problem in New York State. The New York State Division of Criminal Justice Services indicates that in 1981, 25,998 domestic violence offenses were reported to police agencies in the State. This number represents only a partial figure; many police jurisdictions have not yet fully implemented data collection

procedures. (New York State Division of Criminal Justice Services, Crime and Justice Annual Report, p.230, 1981).

We know that the actual frequency of family violence is much higher than that reported to the police, courts, or social agencies. For example, two studies found that in 10 to 20 percent of all marriages there is regular and repeated violence between spouses. (R.J. Gelles, S.K. Steinmetz and M.A. Strauss, Behind Closed Doors: Violence in the American Family, p. 18, 1980); Mark A. Schulman (Louis Harris and Associates), A Survey of Spousal Violence Against Women in Kentucky, p. 1, U.S. Government Printing Office (1979). These studies also found that 50 percent of all marriages involve at least one incident of physical violence. Approximately one million children nationwide are victims of child abuse and neglect each year. In 1980, 25,997 children in New York State were reported victims of abuse and neglect. (New York State Department of Social Services, Child Protective Services, Report to the Governor and the Legislature, p. 35, Table 14, p. 77, 1980). Other studies indicate that as many as one in ten elderly people are abused by their families. (Lau, E., and Kosberg, J., "Abuse of the Elderly by Informal Care Providers: Practice and Research Issues". Paper presented at the 31st annual meeting of the Gerontological Society, Dallas, Texas, November 20, 1978.)

In 1981, 20,358 "family offense"\* petitions were filed in the New York Family Court. These petitions sought "orders of protection", which are civil injunctions that direct the abusing family member to cease the offensive

\* A "family offense" is defined in Family Court Act § 812 as an act which would constitute disorderly conduct, harassment, menacing, reckless endangerment, an assault in the second or third degree or an attempted assault between spouses or persons related by blood or marriage.

conduct. (Family Court Act § 842.) The wife was the petitioner and the husband was the respondent in 15,184 of these cases (75%); the husband was the petitioner and the wife was the respondent in 1,220 of these cases (6%). (Unified Court System (Office of Court Administration), Third Annual Report of the Chief Administrator of the Courts for 1981, p. 3-93, 1982). County Probation Departments provided counseling services to an additional 30,279 victims of domestic violence in 1981. (State Division of Probation, based on monthly reports from county Probation Departments.) During 1981, 177 persons were murdered by their family members in New York State. (New York State Division of Criminal Justice Services, Crime and Justice Annual Report, p. 92, 1981). Of the 60,964 divorces granted in New York in 1980, physical cruelty was the reason given in 26,631 cases. (New York State Department of Health, Bureau of Vital Statistics, Marriage, Upstate New York; Dissolution of Marriage, New York State 1979-80.)

While the real incidence of family violence remains uncertain, we do know that the cost is great. Family violence places high demands on police, courts and hospitals, causes family disintegration, psychologically scars direct victims and other family members, and, most tragically, leads to the death and incapacity of many family members each year.

## II. THE WORK OF THE TASK FORCE

The Task Force initially focused on four broad areas: The Justice System; Education, Training and Outreach; Data Collection and Evaluation; and Agency Services and Regulations. Subcommittees were established to deal with these issues and during the summer and fall of 1979, those subcommittees, with the assistance of Advisory Board members, formulated the 21 recommendations contained in the first report. Those recommendations were the basis of the Task Force's work through September 1981.

In September 1981, the Task Force decided that stable funding for shelters and other services was its primary goal. We also set three other priorities: public information; development of a coordinating and continuing structure; and data collection. Additional subcommittees were formed to address these priorities: Police Training and Data Gathering; Memorandum of Law; Hospital Protocol; Prison Data; and Professional School Curriculum. This new focus and the additional committees have structured the work of the past year.

The Task Force, in cooperation with the New York State Coalition Against Domestic Violence and the New York State Junior League, successfully lobbied in 1982 for increased domestic violence services through the Department of Social Services.

#### ORIGINAL RECOMMENDATIONS - Progress Toward Implementation

Following is an evaluation of the progress which the Task Force has made toward implementation of the original 21 recommendations.

1. The Family Court Act and the Criminal Procedure Law should be amended to clarify and expand provisions for preliminary relief and enforcement of orders of protection. Family Court jurisdiction over first degree assaults should be repealed, thereby giving the criminal courts exclusive jurisdiction over the most serious assaults. These provisions are contained in an omnibus bill. The goal was accomplished with the passage in 1980 and 1981 of the Governor's Omnibus Domestic Violence Program Bills. (Chapter 530 of the Laws of 1980, and Chapter 416 of the Laws of 1981.) The amendments enacted provided that:

- Indigent petitioners seeking Family Court Orders of Protection now have the same right to court appointed lawyers as respondents in these proceedings.
- Family members seeking emergency, temporary orders of protection from Family Court now have a statutory right to file petitions "without delay on the same day" that they first go to the Family Court, "and a hearing on that request shall be held the same day or the next day that the Family Court is open".
- Those found to have injured members of their families may now be ordered to pay the cost of medical care for such injuries, and the legal fees incurred in bringing a Family Court proceeding for an Order of Protection.
- Those found to have injured members of their families may be required to attend educational courses for violent family members.
- The statement of purpose of Family Court Order of Protection



proceedings has been changed to provide that it "is for the purpose of attempting to stop the violence, end the family disruption and obtain protection". This clearly expresses the legislative intent that the first priority is to protect the family members by ending the violence.

The sponsors in 1980 were:  
(A.12123/S10110) The Senate Committee on Rules and Assemblymembers Andrew Jenkins, William B. Hoyt, Rhoda S. Jacobs, May W. Newburger, John M. Perrone, Florence M. Sullivan, Jerrold Nadler, Estella Diggs, Gerdi E. Lipschutz, Frank J. Barbaro, Thomas S. Boyland, Robert Connor, John C. Dearie, Arthur O. Eve, Herman D. Farrell, Ralph Goldstein, Dennis T. Gorski, Richard N. Gottfried, Alexander B. Grannis, Stephen Greco, Alan G. Hevesi, Maurice D. Hinchey, George J. Hochbrueckner, Rolland E. Kidder, Arthur J. Kremer, Ivan C. Lafayette, Joseph R. Lentol, Vincent A. Marchiselli, Melvin H. Miller, Louis Nine, Angelo F. Orazio, William F. Passannante, Steven Sanders, Jose E. Serrano, Mark Alan Siegel, Sheldon Silver, Harvey Strelzin, Paul M. Viggiano, Daniel B. Walsh; and in 1981 (S.6863/A.8850) Senators Warren M. Anderson, Manfred Ohrenstein, Gary L. Ackerman, Carol Berman, Abraham Bernstein, Joseph L. Bruno, John D. Caemmerer, John R. Dunne, John E. Flynn, Ray M. Goodman, L. Paul Kehoe, Martin J. Knorr, Norman J. Levy, John J. Marchi, Christopher J. Mega, Frank Padavan, Joseph R. Pisani, Jess J. Present, Caesar Trunzo, Jeremy S. Weinstein, Linda Winikow and Assemblymembers Stanley Fink, James L. Emery, Jerrold Nadler, May W. Newburger, Geraldine L. Daniels, Frank J. Barbaro, John R. Bianca, Elizabeth A. Connelly, Eileen C. Dugan, Eliot L. Engel, Herman D. Farrell, Daniel Feldman, Thomas R. Fortune, John S. Fossel, Alexander B. Grannis, Joan B. Hague, Paul E. Harenberg, Alan G. Hevesi, Maurice D. Hinchey, Samuel Hirsch, George J. Hochbrueckner, William B. Hoyt, Rhoda S. Jacobs, G. Oliver Koppell, William J. Larkin, Howard L. Lasher, Woodrow Lewis, Gerdi E. Lipschutz, James W. McCabe, John Brian Murtaugh, Louis Nine, Angelo F. Orazio, William F. Passannante, John M. Perone, Gary Proud, Toni Rettaliata, Victor L. Robles, Richard Ruggiero, Jose E. Serrano, Mark Alan Siegel, Carol A. Siwek, Harry Smoler, Florence M. Sullivan, Albert Vann, Helene E. Weinstein, Clifford E. Wilson, Lewis J. Yevoli, Melvin N. Zimmer.

These new laws testify to the Governor's deep commitment to and bipartisan legislative support for a strong public policy statement that acts of family violence are crimes and will not be tolerated in New York State. These advances make New York a national leader in providing access to legal remedies and protection for victims of domestic violence.

2. Legislation should be passed authorizing Family Court judges to order a batterer to participate in an "educational program".

- This goal was accomplished with the enactment of Chapter 531 of the Laws of 1980; Family Court Act §§841(c) and 842(g). The sponsors were:

Senator Joseph R. Pisani and Assemblymembers Jerrold Nadler, Arthur J. Kremer, Estella Diggs, Eliot L. Engel, Herman D. Farrell, Jon S. Fossel, Samuel Hirsch, Rhoda S. Jacobs, Gerdi E. Lipschutz, John M. Perone, Michael Pesce, Florence M. Sullivan.

3. Legislation should be passed establishing indigent petitioners' right to court-appointed counsel (in Family Court order of protection proceedings).

- This goal was accomplished with the enactment of Chapter 693 of the Laws of 1981, Family Court Act § 262(a)(ii). This legislation was sponsored by:  
Senator Joseph R. Pisani and Assemblymembers Jerrold D. Nadler, Mark Alan Siegel, Arthur J. Kremer, Estella Diggs, Eliot L. Engel, Herman D. Farrell, Samuel Hirsch, Rhoda S. Jacobs, Gerdi E. Lipschutz, John M. Perone, Michael Pesce, Florence M. Sullivan.

4. Legislation should be passed requiring respondents found to have committed family offenses to pay the legal and medical fees of petitioners.

- This goal was accomplished by the enactment of Chapter 532 of the Laws of 1980 and Chapter 965 of the Laws of 1981; Family Court Act § 842(f) and (h). The sponsors were:  
(A.7770/S.5373-A) Senator Joseph R. Pisani, and Assemblymembers Jerrold Nadler, Arthur J. Kremer, Estella Diggs, Elliot L. Engel, Herman D. Farrell, Samuel Hirsch, Rhoda S. Jacobs, G. Oliver Koppel, John M. Perone, Michael Pesce, Robert Connor, May W. Newburger; (A.9358-A/S.7942-A) Senator Joseph R. Pisani and Assemblymembers Jerrold Nadler, May W. Newburger, Estella Diggs, William B. Hoyt, Rhoda S. Jacobs, Gerdi E. Lipschutz, Arthur J. Kremer, Eliot L. Engel, Herman D. Farrell, Samuel Hirsch, G. Oliver Koppel, John M. Perone.

5. Legislation should be passed allowing abused former spouses and unmarried, cohabitating adults to have access to either Family Court or a criminal court.

- The achievement of this goal was partially accomplished by the passage of the 1980 Governor's Omnibus Domestic Violence Program Bill. It expanded Family Court and Supreme Court jurisdiction to provide orders of protection for formerly married people in conjunction with custody or visitation orders or proceedings. (Chapter 530, Laws of 1980, Family Court Act §§ 655 and 656; Domestic Relations Law § 240(2).)
- Criminal courts may issue orders of protection for all crime victims, regardless of relationship to the defendants, whenever there is a criminal prosecution. (Chapter 575, Law of 1981; Criminal Procedure Law § 530.13.) This legislation was drafted and sponsored by:  
Senators Martin J. Knorr and Carol Berman and Assemblymembers May W. Newburger, Gail S. Shaffer, Richard N. Gottfried, John R. Branca, Roger J. Robach and Anthony S. Seminerio.
- Unmarried, cohabitating adults still do not have access to Family Court unless they bring or have pending paternity proceedings. (Family Court Act §§ 550 and 551.)

6. The Governor should mandate each human service and criminal justice agency to produce domestic violence training designs for all staff having public contact, prior to December 31, 1980.

An assessment should be made to determine whether statewide training programs become effective on the county level. The Governor's Task Force should provide a monitoring and review resource for these training activities.

- The Task Force has conducted extensive training at the state and local levels. Following are several examples:
  - On April 1, 1981, the Task Force, the Women's Division of the Executive Chamber and the Council on Children and Families sponsored a Domestic Violence Training Conference, which helped

staff and volunteers from statewide public and private agencies identify and aid domestic violence victims. This multidisciplinary conference attracted over 600 professional staff and volunteers from domestic violence programs, probation and mental health departments, alcohol and drug abuse agencies as well as police officers, attorneys, teachers, social workers and clergy. The two plenary sessions and 26 specialized training workshops were held, involving nearly 100 speakers.

- Following a Task Force recommendation, the New York State Municipal Police Training Council voted to require that all new police recruits take a unit of 14½ hours of domestic violence training developed by the Task Force. Previously there had been 2½ hours on dispute resolutions scattered among the mandatory 295 hours of first year instruction. The Task Force is gratified by the Council's recognition of this important aspect of police work. Further cooperative ventures are planned. The Task Force is now working with the Division of Criminal Justice Services, Bureau for Municipal Police, to obtain funding for instructional seminars for the officers who conduct new recruit training programs and joint programs with police agencies and local domestic violence service providers. The purpose of these programs is to acquaint the trainers, the local police agencies and the service providers with the scope and intent of the new recruit training. Task Force members and staff also have presented in-service training programs for police officers at the invitation of the Bureau for Municipal Police.
- Consultants engaged by the Task Force wrote a domestic violence training package for hospital emergency room personnel to teach



them to identify victims of domestic violence and to encourage them to respond appropriately by offering information and referrals.

- In response to a request by the New York State Magistrates Association, the Task Force presented a workshop on the 1981 domestic violence amendments at the Association's convention. A similar program was presented to the Family Court Judges Association convention in 1980. Task Force members and staff have presented workshops at the Probation Officers convention in 1980 and 1981.

7. The Governor should require every state agency having client contact to conduct a public information campaign to educate its constituencies about the laws and services relevant to domestic violence problems, prior to December 31, 1980.

- Several Task Force projects have resulted in public education about the domestic violence issue. The major goal has been to publicize the statewide hotline phone number, in conjunction with recommendation number 16.
- The April 1981 Training Conference received newspaper coverage. In addition, several state agencies wrote stories about the conference in their agency newsletters.
- Governor Carey issued Proclamations for Domestic Violence Awareness Week in October of 1981 and 1982. Extensive statewide media coverage was received when Governor Carey announced the opening of the statewide toll-free hotline in October 1981.
- Governor Carey issued press releases in December of 1980 and 1981 to call special attention to the increase in domestic violence during the holiday season.

- Task Force Co-Chairs and members have been interviewed extensively in the media about the Task Force's work.

8. The Governor should recommend to the Board of Regents that all institutions of professional education licensed by the New York State Department of Education or any other state department, including medical schools, law schools, graduate schools of psychology and psychoanalytic institutes, develop curriculum materials on domestic violence issues. In addition, preventive education curriculum materials should be prepared by the State Education Department for use in New York's elementary and secondary schools.

- The Task Force, together with the State Education Department, has prepared a domestic violence preventive education guide for teachers, guidance counselors and school administrators in primary and secondary schools. This guide provides background information on domestic violence and its effects on students, suggests procedures for responding to affected students, and recommends developing preventive education curricula concerning domestic violence. Task Force staff have written suggested curriculum outlines as models for classroom programs on domestic violence. These materials have been distributed to all schools by the Education Department.

The Task Force is also investigating the scope of curriculum materials related to domestic violence in professional schools in New York State. A survey to determine the extent to which domestic violence issues are now covered has been sent to all professional schools. The Task Force will help develop appropriate curriculum materials where the need is indicated.

The hospital emergency room training package described above also partially fulfills this recommendation. It was accepted for

presentation at the New York State Nurses Association Conference in October 1981. Participants received continuing education credits for their attendance at this presentation.

9. A treatment protocol for emergency room staff should be developed by the State Health Department in order to insure the appropriate response of health personnel to victims of domestic violence. This protocol should be comparable to the existing procedure prescribed in cases of rape, and should include procedures for examination of child sexual assault victims similar to the protocol used in Connecticut's Sexual Trauma Treatment Program.

- The Task Force, in cooperation with the New York State Health Department, has developed a model Hospital Emergency Department Protocol for Abused Adults. The protocol prescribes the procedure hospital staff should use to identify, treat and refer domestic violence victims who come to the Emergency Department. Health Department Commissioner David Axelrod sent the protocol to all hospitals in the state. He also sent a Hospital Memorandum in which he encouraged all hospitals to conduct domestic violence training and implement the protocol.

10. The State Health Department should institute a pilot project in selected hospitals in which emergency room staff submit domestic violence incidence reports to the Department using reporting forms which do not disclose the victim's name.

- This recommendation was delayed pending development of the training and a protocol.

11. The Governor should direct state agencies presently collecting domestic violence data to do so in a coordinated manner, by developing a cross-agency data collection instrument applicable to each agency's computer

systems and designed to produce the most useable data base. This should be a phased process, initially on a demonstration basis.

- The committee dealing with state agency services and regulations has been working toward the development of a service delivery system which would collect management information data in a coordinated fashion.

12. Local police agencies should be directed to collect domestic violence data in the form mandated by the Division of Criminal Justice Services.

- This recommendation was implemented when Commissioner Frank Rogers of the Division of Criminal Justice Services (DCJS) requested in November 1979 that local police agencies voluntarily collect domestic violence data and report them monthly to DCJS. Most police and sheriffs' departments are cooperating as of September 1982.

13. All agencies presently required to collect data on domestic violence should submit that data as part of their annual reports to the Governor and the Legislature. Data collection is a priority of the Task Force. A great deal remains to be done to assure the collection of accurate, reliable data from all sources; however, progress has been made:

- The Division of Criminal Justice Services (DCJS) produced a domestic violence data collection form and asked every police agency in the state to collect these data and submit them monthly to DCJS. The data submitted in the last two years show greatly increased compliance with the request for reports and increases in the number of incidents reported.
- The Division of Probation is collecting and publishing the Family Court family offense intake data.

- The Department of Correctional Facilities is collecting domestic violence data from 208 women committed to Bedford Hills Correctional Facility.
- The Unified Court System (Office of Court Administration) collects and publishes family offense data from all Family Courts in New York State annually. The Task Force requested that corresponding data from the criminal courts be collected. (Judiciary Law § 212(2)(e)).

14. The Governor and the Legislature should support the creation of a statewide media campaign to inform New Yorkers about laws pertaining to domestic violence and services available to family members. The goal of public education has been accomplished through several Task Force projects.

- The Task Force has purchased a domestic violence film library and published a critical bibliography of that material. The library is maintained by the Division of Criminal Justice Services, which makes the films available free of charge (including shipping) for use by public and private agencies as well as community groups.
- The Publicity/Public Relations Subcommittee has developed short public service television and radio announcements to educate the public about domestic violence and to advertise the availability of the toll-free family violence hotline. The opening of this telephone hotline, described in number seven above, was also an important step in providing public education and information on domestic violence services.
- Task Force members, staff, and associates continue to promote public education by serving as resource experts at seminars, conferences and workshops on request throughout New York State. There have been at least 40 such appearances.

15. A Handbook for Beaten Women, previously published by Brooklyn Legal Services, should be updated, reprinted and disseminated statewide.

- This goal was accomplished in 1980 with a supplemental budget appropriation of \$25,000 to the Division of Criminal Justice Services, which contracted with Brooklyn Legal Services to revise, publish and distribute this Handbook. As of September 30, 1982, 184,000 copies in English and 26,000 copies in Spanish were distributed throughout the state with a charge for the cost of shipping only. An appropriation bill was sponsored by:

Senator Joseph R. Pisani and Assemblymembers Jerrold Nadler, Elizabeth A. Connelly, Pinny Cooke, Estella Diggs, Alexander B. Grannis, Rhoda S. Jacobs, Gerdi E. Lipschutz, May W. Newburger, Florence M. Sullivan.

16. The state should establish a 24-hour, 7-day a week toll-free telephone information and referral service to provide information concerning domestic violence programs and services.

- This goal has been accomplished with the establishment of a statewide toll-free telephone hotline service staffed and administered by the New York State Coalition Against Domestic Violence. The hotline began operation on October 9, 1981. Statistics through May 1982 show that the hotline received an average of 138 calls per month.

17. Creative long-term methods for funding shelters, including but not limited to Emergency Assistance to Families, must be developed. The Governor should direct the Task Force, the Advisory Board, the Division of the Budget and the Legislature to develop potential financing mechanisms by January 1, 1981, with funding of shelters to remain at present levels until then. Particular attention should be paid to better utilization and coordination of federal, foundation, state, and local funding.

- Federal funding reductions have shifted most of the burden of funding domestic violence services to the states. The Governor and the Legislature have responded generously by appropriating \$1 million for Fiscal Year 1982-83. The Department of Social Services has made a commitment to use this money to maintain existing shelters for victims of domestic violence and to create needed programs for children and batterers. The Task Force, the New York State Coalition Against Domestic Violence and the New York State Junior League actively supported the Department of Social Services in their successful efforts to obtain these funds.

The Task Force is working to secure a stable funding source through the drafting and support of the Domestic Violence Prevention and Services Act (A.10513A, S.5881-A), which creates a surcharge on marriage licenses, to be used by the counties to fund local domestic violence services. The Task Force also supports Assemblymember William Hoyt's bill, the Children and Family Trust Fund Act (A.13044), which appropriates \$1.2 million to fund child abuse and domestic violence services.

18. The Governor should direct the appropriate state agencies to sign memoranda of understanding coordinating appropriate programs and guaranteeing that all members of families experiencing domestic violence will be categorically eligible to receive necessary state services (alcoholism programs, child protective services, medical care, legal representation, mental health services, special care shelters, police protection, social services, public assistance and emergency public assistance).

- The Task Force Subcommittee on Agency Services Regulations is investigating the scope of domestic violence services provided by each state agency and the funding sources for those services in

order to develop an effective mechanism of cross-agency coordination.

19. All programs dealing with domestic violence should identify and respond to the particular service needs of the abused elderly.

- The Task Force is concerned about the service needs of abused elders. The Task Force presented testimony at the Elder Abuse Hearings held by the Assembly Committee on Aging in November 1981, and expressed concern over the void in services for abused elderly persons and their caretaking family members. The Task Force continues to support the State Office for the Aging and the Department of Social Services in their efforts to provide appropriate services for elderly victims of domestic violence, as an integral part of the effort to provide effective services to all victims of family violence.

20. To strengthen the ability of the criminal courts to respond to domestic violence cases, the existing domestic violence program within the Westchester District Attorney's Office should be evaluated so that it may be appropriately replicated.

- The value of this program and the need to strengthen the criminal court options of victims has been established. A domestic violence prosecution unit was created in the Monroe County District Attorney's Office using the Westchester District Attorney's Office as a model. Furthermore, the ability of prosecutors to respond to domestic violence cases has been strengthened through the Task Force's successful legislative efforts and its participation in technical training and public education.

21. The Governor's Task Force on Domestic Violence should be continued and staffed to provide the coordination and technical assistance necessary to

ensure the implementation of the preceding training and outreach, legal, data collection and service recommendations. The Task Force and its Advisory Board should also develop further recommendations concerning broader domestic violence concerns, particularly focusing on the relationship between adult and child abuse, more realistically defined as a cyclical family violence problem.

- This recommendation has been accomplished through the continued existence of the Task Force beyond the initial one-year period. The Task Force has been able to stimulate many successful innovations in the three years of its operation.

In addition to the work on the 21 recommendations, during 1981-82 the Task Force drafted and endorsed bills addressing rape and sexual abuse in marriage and sexual abuse and incest involving children. The Task Force believes that these crimes threaten the meaning and existence of the family. Three of these bills removed the marital exemption in cases of rape and aggravated sexual abuse between married persons so that the marital relationship would no longer bar prosecution in these cases. Other proposed bills increasing the protection for child victims of sexual abuse and incest by removing the extraordinary corroboration requirements, recognizing the child's position of inequality and powerlessness in these situations, and increasing the penalties for child sexual abuse were unanimously endorsed by the Task Force members. All of these bills were supported by the Assembly Task Force on Women's Issues, chaired by Assemblymember May W. Newburger. Only the bill repealing the incest corroboration requirement was passed. (Chapter 659, Laws of 1982; Penal Law § 255.30.) This bill was sponsored by:

Assemblymembers May W. Newburger, Rhoda S. Jacobs, Joseph T. Pillittere, Maurice D. Hinchey, Jerrold Nadler, Melvin H. Miller, Elizabeth A. Connelly, Geraldine L. Daniels, Herman Farrell, William B. Hoyt, Gerdi E. Lipschutz, Angelo F. Orazio, Steven Sanders, Jose E. Serrano, Helene E. Weinstein.

The Task Force supports several bills to repeal exemption from prosecution for marital rape and sexual abuse. These bills did not pass the Legislature. These bills were sponsored by:

(A.5716/S.8006) Senator Jeremy S. Weinstein and Assemblymembers May W. Newburger, Gerdi E. Lipschutz, Helene E. Weinstein, Rhoda S. Jacobs, Eileen C. Dugan, Maurice D. Hinchey, Jerrold Nadler, Steven Sanders, Mark Alan Siegel, Florence M. Sullivan; and (A.5717-A/S.6239-A) Senators Jeremy S. Weinstein, Carol Berman, Olga A. Mendez and Assemblymembers May W. Newburger, Rhoda S. Jacobs, Maurice D. Hinchey, Steven Sanders, Elizabeth A. Connelly, Gerdi E. Lipschutz, Senators Melvin H. Miller, Jose E. Serrano, Helene E. Weinstein; (A.5534-B) Assemblymembers May W. Newburger, Rhoda S. Jacobs, Helene E. Weinstein, Steven Sanders, Maurice D. Hinchey, Elizabeth A. Connelly, Gerdi E. Lipschutz, Jerrold D. Nadler, Angelo F. Orazio, Jose E. Serrano, Mark Alan Siegel.

The Task Force supports legislation making family members who are victims of violent family offenses eligible for crime victims compensation for injuries, and financing crime victims compensation through additional fines imposed on persons convicted of crimes.

These bills did not pass the Legislature. The sponsors were:

(A.2756) Assemblymembers Joseph R. Lentol, Lewis J. Yevoli, Daniel B. Walsh, Saul Weprin, May W. Newburger, Denis J. Butler, Elizabeth A. Connelly, Joseph Ferris, Paul E. Harenberg, Rhoda S. Jacobs, Gerdi E. Lipschutz, Melvin H. Miller, Steven Sanders, Mark Alan Siegel, Paul M. Viggiano, Clifford E. Wilson, Melvin Zimmer; and (A.7517/S.5447) Senator Ralph J. Marino and Assemblymembers Stanley Fink, Richard N. Gottfried, Arthur J. Kremer, Melvin N. Zimmer, Joseph R. Lentol, David L. Cohen, Frank J. Barbaro, I. William Bianchi, John R. Branca, Denis J. Butler, Elizabeth A. Connelly, Geraldine L. Daniels, Gloria Davis, John C. Dearie, Angelo Dell'oro, Eliot L. Engel, Daniel Feldman, Joseph Ferris, William B. Finneran, George Friedman, Roger L. Green, Edward Griffith, Paul E. Harenberg, Maurice D. Hinchey, George J. Hochbrueckner, William B. Hoyt, Rhoda S. Jacobs, Rolland E. Kidder, G. Oliver Koppell, Woodrow Lewis, Gerdi E. Lipschutz, James W. McCabe, Mathew J. Murphy, John Brian Murtaugh, Jerrold Nadler, May W. Newburger,

Louis Nine, Angelo F. Orazio, William F. Passannante, Joseph T. Pillittere, Gary Proud, Roger J. Robach, Victor L. Robles, Richard S. Ruggiero, Steven Sanders, Robin L. Schimminger, Anthony S. Seminerio, Jose E. Serrano, Gail S. Shaffer, Mark Alan Siegel, Harry Smoler, Leonard P. Stavisky, Paul M. Viggiano, Daniel B. Walsh, Clifford E. Wilson.

### III. SUBCOMMITTEES

The subcommittees of the Task Force are comprised of members, designated representatives of Advisory Board members, associates, and interested government agency and voluntary organization members. These subcommittees conduct research, provide resources, and produce legislation, monographs, model training materials, and recommend policy and practice changes.

#### 1. The Justice Subcommittee

Subcommittee Chair: Meg O'Regan-Cronin

Members: Marcia Alazraki, Ronald Cohen, Geraldine Eiber, Marjory D. Fields, Katheryn Katz, Rhonda Kirschner, Peter Mancuso, Howard Miller, Francis Murphy, Jeannine Ferris Pirro, Jan Plumadore, Ron Seward

The investigations of the Task Force during the first year revealed gaps in the laws designed to aid families affected by domestic violence. In 1980 and 1981 the Justice Subcommittee proposed legislative changes designed to increase protection for victims of domestic violence. The amendments were enacted into law.

In 1982 the Justice Subcommittee has continued its legislative drafting. The subcommittee shifted its focus to the new Task Force priorities to establish permanent funding mechanisms for services to victims and offenders. A marriage license surcharge to finance domestic violence programs, as well as direct legislative appropriations for services, were included in bills drafted by the Justice Subcommittee.

The Justice Subcommittee of the Task Force will continue to develop legislation to provide funds for domestic violence programs, and to explore legal changes relating to sexual abuse and rape in marriage and sexual abuse of children.



## 2. Police Training Subcommittee

Subcommittee Chair: Peter Mancuso

Members: Jerome Balcom, Rosemarie Beckhorn, Marjory D. Fields,

Meg O'Regan-Cronin, Laura Zeisel

Police officers who respond to domestic disturbance calls are often the first and only persons outside of the family who have knowledge of the violence in that family. The response and assistance offered in these cases are crucial factors in determining the course of action taken by the victim and in deterring the offender from continued violence. In recognition of the vital role played by police officers, in 1981 the Municipal Police Training Council adopted a new 14½-hour domestic violence training package developed by the Task Force.

The Police Training Subcommittee also is working to expand the domestic violence component of in-service training programs for police officers.

## 3. Education Subcommittee

Subcommittee Chair: Michael Mostow

Members: Karen Burstein, Mary Ann Dee, Karla Digirolamo, Mary Lou

Lougheed, Lionel Meno, Ron Seward, Ruth Siegel

It is necessary to reach the children who are learning that violence is acceptable in their homes in order to prevent domestic violence. The Education Subcommittee, in conjunction with the State Education Department, is working toward that goal.

The committee has written a preventive education guide for use by teachers, guidance counselors and administrators in the elementary and secondary schools in New York State. This guide aims to increase awareness of the prevalence of domestic violence and its impact on the lives and behavior of their students; to offer clues for recognition of and appropriate responses to students who witness parental violence; to offer suggestions for

referrals and assistance; and to stimulate curriculum development regarding domestic violence. The guide has been sent to each public and private school in New York State.

The Education Subcommittee plans to develop training seminars to assist school personnel in effectively using the preventive education guide. In addition, the subcommittee will investigate the availability of funds for domestic violence curriculum development and to conduct several pilot programs with the student curriculum which was developed by the subcommittee. These projects are significant because they are the first preventive programs to be initiated.

## 4. Publicity-Public Relations Subcommittee

Subcommittee Chair: Rhonda Kirschner

Members: Peter Mancuso, Ronald Seward, Ruth Siegel, Rory Tetrault

It is necessary to publicize the availability of domestic violence services to facilitate access to those services, and to make New Yorkers aware that domestic violence is a crime. The Publicity-Public Relations Subcommittee is working to achieve these goals.

The Subcommittee has developed scripts for 10 and 30 second radio and television public service announcements. These announcements inform the public that domestic violence is a crime and help is available. The number of the toll-free family violence telephone hotline is given as the statewide resource center offering information and referrals to services. The hotline was established as a result of the Task Force's efforts; it was one of the original 21 recommendations. The telephone number of the toll-free hotline is 1-800-942-6906.

#### 5. Memorandum of Law Subcommittee

Subcommittee Chair: Rhonda Kirschner

Members: Marjory D. Fields, Lana Flame, Ronald Goldman

This subcommittee was established to fill the requests of many prosecutors for assistance in obtaining orders of protection in the criminal courts, which became available as the result of passage of the Governor's program legislation drafted by the Task Force. Prosecutors have found judges reluctant to grant these orders.

The Memorandum of Law will discuss in separate sections the statutory, public policy, and constitutional reasons that judges should issue orders of protection, ex parte temporary orders of protection, and temporary orders of protection after arrests for witness protection in the criminal courts. It will be designed for use by prosecutors throughout New York State to support their requests for these orders in any case.

#### 6. Hospital Protocol Subcommittee

Subcommittee Chair: Rhonda Kirschner

Members: Geraldine Greany, R.N., Dr. Linda Randolph, Fran Shifrin

Domestic violence accounts for up to half the serious injuries women bring to hospital emergency departments. Hospital staff members often fail to diagnose domestic violence as the source of these injuries. To address this problem, the subcommittee drafted a Hospital Memorandum and Model Protocol which Health Commissioner David Axelrod plans to send to every hospital in New York State. These materials aim to improve the hospitals' response to the health care needs of domestic violence victims and their families. The Memorandum and Protocol provide background information on domestic violence, suggest ways to recognize domestic violence victims and specify how hospital staff should treat the emotional and physical injuries

of victims. The Memorandum urges all hospitals to develop and implement their own protocol based on the model.

Subcommittee members plan to explore the possibility of having the Health Department conduct domestic violence training for all Health Department, Office of Health Systems Management and hospital staff persons in the state to more effectively implement the protocol.

The State Health Department designed and printed domestic violence posters which inform domestic violence victims where to get help. The posters provide the telephone number of the statewide toll-free hotline. The Health Department plans to distribute the posters to every hospital and health department facility in the state. The Task Force is also planning to distribute the poster to local offices and service providers of other agencies.

#### 7. Prison Data Subcommittee

Subcommittee Chair: Marsha Nadell

Members: Meg O'Regan-Cronin, Barbara Schwimmer, Laura Zeisel

This subcommittee is working with the State Department of Correctional Facilities on data collection efforts underway at Bedford Hills Correctional Facility. All women committed to the custody of the New York State Department of Correctional Services are sent first to Bedford Hills, which serves as the reception center. Approximately eight to ten weeks are spent in classification, which includes educational and psychological tests and medical examinations. In addition, a 30-page questionnaire is administered to obtain information on issues including substance and alcohol abuse, the type of crime committed, and the role of the inmate in these crimes. The information is used for research and programmatic purposes as well as for identification of the needs of the inmates.

The results of questionnaires administered to 208 women committed to Bedford Hills in 1981 revealed the following statistics, which were of particular interest to this subcommittee:

- 28 percent of the women reported being victims of domestic violence as adults;
- 29 percent of the women reported having been abused as children;
- 50 percent of the women incarcerated for murder had killed a member of their family;
- 71 percent of the 208 women have children.

The subcommittee will be working with the Department of Correctional Services to develop other domestic violence related questions to include in this questionnaire. Subcommittee members are specifically interested in findings regarding the nature of the violence in the homicides, whether or not the homicide was a response to battering, the numbers of children who are left without parents as a result of the death of one parent and the incarceration of the other, and the custody and support arrangements for these children. The subcommittee is also interested in developing gender neutral questions to facilitate a study of males incarcerated for similar crimes.

The results of this research will be useful for developing domestic violence programs and programs for inmates and their families.

#### 8. Agency Services Regulations Subcommittee

Subcommittee Chair: Rosemarie Beckhorn

Members: Candy Butcher, Susan Eggenberger, Marsha Nadell, Joseph J. Petrosino

Investigations of the Task Force have revealed that there are many diverse organizations and agencies which currently provide either primary or secondary services to families affected by violence. Frequently, these

service providers have little knowledge of the services available through or being provided by other agencies. The lack of interagency coordination and communication has led to a service delivery system which is often fragmented or duplicative. Some services are offered by many agencies; other services are not available. Additionally, domestic violence is not a categorical basis for service.

The goals of this subcommittee are to identify those agencies which are providing services to victims of domestic violence and their families, to identify areas of duplication of services and to identify gaps in service delivery. This process will then lead to the development of methods of interagency cooperation which can facilitate the growth of a comprehensive, cost-effective service delivery system. The Task Force ultimately seeks to have domestic violence defined as a problem for which there will be categorical eligibility for all services.

To accomplish these goals this subcommittee has written a letter to the Director or Commissioner of each state agency to ascertain the rules and policies applicable to funding or service provision for domestic violence. Responses to this letter will be used to develop models for integrated service provision and may lead to agreements for interagency cooperation.

#### 9. Professional School Curriculum Subcommittee

Subcommittee Chair: Susan Talbott

Members: Jerome Balcom, Robert Berg, Geraldine Greany, Katheryn Katz, Francis T. Murphy, Jr., Stephen A. Shapiro, Ruth Siegel, Mark Taff, Martha Wray.

This subcommittee is pursuing the Task Force recommendation that all schools of professional education in New York State should include domestic violence materials in their curricula. The subcommittee has developed a survey which will be sent to all schools of professional education in New

York State. The purpose of this survey is to determine the extent to which professional schools currently cover domestic violence issues. The subcommittee will then work with the professional schools to develop curriculum materials for those professional schools which do not adequately cover the issues.

#### IV. FUTURE DIRECTION OF THE TASK FORCE

The implementation of the Task Force's recommendations has served to assist troubled families and to demonstrate New York State's commitment to prevent domestic violence. It is the continuing responsibility of all New Yorkers who care about families to assure that preventive and treatment services are provided to families who seek them. Neither social nor economic pressures should continue to force family members to remain in situations which place them at risk of injury and death. Provision of services to alleviate domestic violence problems will ultimately save federal, state and local monies by reducing violence and its costly aftermath.

The Task Force is determined to continue to work toward its long-term goal, the eradication of domestic violence in New York State. To reach this end, the Task Force has identified four essential issues. Following is a description of these issues and the specific tasks designed to deal with those issues.

##### 1. Funding

The establishment of a stable funding stream for domestic violence services and advocacy is the primary priority. The following major areas are focal points in the search for secure funding sources.

- The Domestic Violence Prevention and Services Act mandates local services for domestic violence to be funded by a dedicated revenue stream. A \$20.00 surcharge to be imposed on marriage licenses would be collected by the localities and used exclusively to fund local domestic violence service and advocacy programs.
- An amendment to the insurance provisions to provide third party reimbursement for domestic violence services rendered by counselors and social workers should be implemented.
- A fee on petitions filed in Family Court is another mechanism suggested for the creation of a secure funding stream. While there are fees on papers filed in Supreme and Surrogates Courts, no similar fee exists in Family Court. The money collected through a fee could be used by the State to fund local domestic violence programs.
- Regulations should be redefined to provide for the development of models to facilitate funding by existing agencies. The focus of this effort is to identify the agencies which now provide services to domestic violence incidentally as a result of other work, and those agencies which provide no funding for domestic violence services, in the hope that the reframing or expanding of their service obligations will make domestic violence victims eligible for category funds.
- A program development group should be established to provide outreach to the private sector, in order to explore the possibility of private sector funding. This group would visit foundations and corporations for advice on strategy for grant applications.

This would lead to further consideration of a center for domestic violence which could receive the maximum public and private funds and coordinate the distribution of these funds.

As the current funding streams decreases, all of these options should be examined as revenue sources, as well as for the value they may have as consciousness-raising mechanisms. Furthermore, it is important that all public and private domestic violence service providers cooperate, for as the funding decreases, interagency cooperation will become essential for the maintenance of high quality domestic violence programs.

## 2. Public Information

a. The first goal of public information is to develop an awareness of the domestic violence problem and knowledge of available resources and services, in order to facilitate the efforts of those families who are attempting to end the violence in their lives. Specific tasks recommended by the Task Force to accomplish this goal include the following:

- The development and distribution of a card containing basic information on the legal options available for a victim of domestic violence and the phone number of the statewide domestic violence telephone hotline; and
- The continuing development of radio and television public service announcements, such as those currently being produced by the Publicity-Public Relations Subcommittee.

b. The second goal of public information is aimed at service providers in the area of domestic violence, and others who have contact with families suffering the effects of domestic violence. The tasks recommended by the Task Force to fulfill this goal include:

- The publication of a booklet for dissemination to the police agencies throughout the state. This booklet would give model administrative procedure and regulations for effective intervention in domestic violence cases, as well as information to assist the police officers in filling out domestic violence data collection forms;
- Promotion of curriculum development regarding domestic violence in the primary and secondary schools. Inclusion of this task in the area of public information reiterates the Task Force's belief that prevention must begin with our children, and school personnel must be knowledgeable in the methods which can effectively encourage non-violence in problem solving;
- Planning of additional conferences on funding and services similar to the April 1, 1981, Domestic Violence Training Conference. The purpose of these conferences would be to provide training and information to service providers as well as to stimulate public awareness of the problems of domestic violence;
- Continuation of projects which provide training to agency personnel who have contact with families in violence, such as the Hospital Emergency Room Training Package prepared by the Task Force, and the domestic violence materials now mandated for new police recruits throughout the State. Training fosters sensitivity to the issues of domestic violence and offers suggestions for effective responses to the complex problems encountered; and
- Publication of an annotated bibliography of all the Task Force's training materials available for statewide

dissemination as a resource, as was done with the domestic violence film library.

### 3. Development of a Coordinating and Continuing Structure

The coordinating role of the Task Force must be continued. Tasks articulated by the Task Force to accomplish this goal include:

- o Institutionalization of the Task Force to ensure its continued existence. An alternative to institutionalization of the Task Force would be to create, by statute, an interagency domestic violence group whose function would be similar to that of the Task Force as it now exists;
- o Creation of an independent center on domestic violence. The center would involve a consortium of the public and private interests, including the academic, and may be located and created in cooperation with a university. The center might focus on the government's response to domestic violence as well as participating in research, program development, policy planning, and serving as a central point for the collection and distribution of money to fund domestic violence programs. A model for such a center could be the Center for Women in Government; and
- o Study of the relationship of the Task Force, the New York State Coalition Against Domestic Violence, and existing government agencies which provide services to families. The study will focus on identification of gaps, overlaps and barriers to effective service provision. This would then facilitate communication, cooperation and more effective provision of services. This is an extension of the work being done by the

Agency Services Regulations Subcommittee, which is focusing on state agencies.

### 4. Data Collection

Reliable data about the incidence of domestic violence and responses to domestic violence are the soundest basis for development of services. This in turn supports funding of services. There are a variety of methods which were proposed for the generation of data.

- a. Legislation mandating data collection and reporting in every state agency where no mandate currently exists. The Domestic Violence Prevention and Services Act, drafted by the Justice Subcommittee of the Task Force and introduced in 1982, provides for mandated data collection. A mandate to collect data does not constitute the fulfillment of the overall goal of reliable data collection. Problems regarding the ability of an agency to collect and record the data accurately and the enforcement of data collection mandates remain. The Task Force should develop a model data collection form to aid agencies in their attempts to meet the requirements of mandated data collection.
- b. Development of a strategy for the enforcement and monitoring of data collection mandates. With this next step emphasis will be placed on the impact of domestic violence on each service provider and agency and the expectation that with reliable data we will be able to proceed more systematically and more effectively in our responses to domestic violence.
- c. A public opinion survey on the extent of domestic violence in New York State and the utilization and effectiveness of present services. This would provide a source of base line data which would serve as support for legislation, funding and mandated



services. It would also serve as a source of public awareness of the issues of domestic violence and would be a useful reference for those involved in the area of domestic violence services.

- d. Publication of a statewide data report as a model, based on the results of data collection by the various agencies, such as police, courts, social services and shelters.

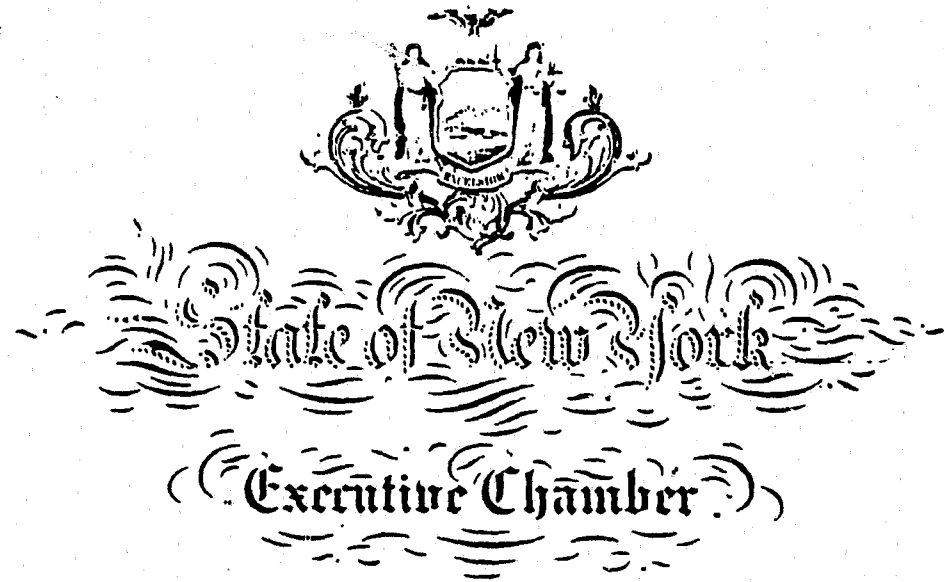
#### V. CONCLUSION

As we said in our first report, the Task Force can offer neither startling revelations about the causes of domestic violence, nor a simple prescription for its cure. The fact is that this tragedy is rooted in a social order which accepts violence as an effective tool for solving problems and asserting power. Despite great gains, we are still bound by traditions and legal systems premised on the oppression and "ownership" of women and children, which clearly contribute to the high rates of their victimization. As the elderly population grows, there is growing evidence of intolerance and abuse toward them as well. We will not find solutions by focusing on individual psychological illness. We must instead honestly confront the complex and vexing interrelationship of a history which has celebrated violence and a present which has yet to repudiate it.

The Task Force is proud of its efforts to date. We have developed new approaches for serving and saving domestic violence victims. We have trained police and criminal justice professionals, assisted in establishing a hotline, created a court structure responsive to victims' needs, supported shelters and started educating school personnel regarding domestic violence.

But more remains to be done. Guided by our experience and perceptions about this issue, we have increasingly directed our energies to prevention. We seek to raise the consciousness of New Yorkers about the pervasiveness of

But more remains to be done. Guided by our experience and perceptions about this issue, we have increasingly directed our energies to prevention. We seek to raise the consciousness of New Yorkers about the pervasiveness of the wrong and the suffering and cost it imposes; we want to share strategies for resolving disputes in ways that respect the integrity of all concerned. We believe that the home should be a "haven in a heartless world".



EXECUTIVE ORDER NO. 90

**EXECUTIVE ORDER**

In light of the tragic emotional and physical consequences to families of domestic violence and by virtue of the authority vested in me by the Constitution and Laws of the State of New York, I, Hugh L. Carey, Governor of the State of New York, do hereby establish within the Executive Department the Task Force on Domestic Violence.

I. The Task Force is granted the powers and duties set forth below, in order to advise the Governor and Legislature as to the most effective ways for state government to respond to the critical law enforcement and social problems posed by domestic violence. It shall consist of no fewer than 20 members, including at least one person in each of the following categories: a legal aid attorney, representatives of the family and criminal courts, a law enforcement official, a provider of community services to battered spouses, one or more representatives of the state agencies which now provide services to victims of domestic violence, a member of the clergy, a mental health professional familiar with the impact on families of such problems as alcohol and substance abuse, a social worker familiar with the service needs of all family members in a violent situation, and a health care professional as well as persons who have themselves been victims of domestic violence.

The members of the Task Force shall be appointed as follows: two of the members shall be appointed by the Speaker of the Assembly; two by the Temporary President of the Senate; one by the Minority Leader of the Assembly; and one by the Minority Leader of the Senate. The remaining members shall be appointed by the Governor. No members shall be elected public officials. An Advisory Board to the Task Force, comprised of the Commissioners and Directors of State agencies which are involved with the problem of domestic violence, as well as elected public officials, shall also be established.

The members of the Task Force shall not receive any salary or other compensation for their services but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their duties. Reimbursement for such expenses, and compensation for such staff and services as may be deemed necessary by the chairman, shall be made only within the amounts made available therefor and subject to the approval of the Director of the Budget.

II. Among the responsibilities of the Task Force shall be the submission to the Governor and the Legislature no later than January 1, 1980 of a report containing specific recommendations for legislative and administrative actions which should be taken in the following areas related to domestic violence:

1. Information regarding the extent and nature of domestic violence in New York;
2. Accessibility and effectiveness of existing services to New York's victims of domestic violence;
3. Goals, objectives and plans for future services to New York's victims of domestic violence;
4. Effectiveness of the present civil and criminal legal systems in responding to cases of domestic violence;
5. Ability of law enforcement and social service agencies to respond more effectively to cases of domestic violence;
6. Education and information to the public concerning services available to families affected by violence;
7. Intervention to help families under stress so as to prevent incidents of domestic violence.

III. The Task Force may request and shall receive from any department, division, board, bureau, commission or agency of the State such assistance and data as will enable it properly to carry out its powers and duties hereunder.



G I V E N under my hand and the  
Privy Seal of the State in  
the City of New York this  
this seventeenth day of May in the  
year of our Lord one thousand nine  
hundred and seventy-nine.

BY THE GOVERNOR:

*Hugh L. Carey*

*Valerie Brown*  
Secretary to the Governor

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Francis Smith (for Hon. Thomas J. Callanan)  
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"Domestic Violence Legislation", 1980 by Jeanine Ferris Pirro

"Family Offense Legislation", 1980, by Marjory D. Fields

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**END**