

**RESOLUTION NO. 402 -2015, ENHANCING ENFORCEMENT
OF DOMESTIC VIOLENCE ORDERS OF PROTECTION USING
ELECTRONIC (GPS) MONITORING**

WHEREAS, the County of Suffolk seeks to protect the health and safety of intimate and non-intimate partner domestic violence victims; and

WHEREAS, domestic violence is a serious problem that negatively impacts individuals, families and communities; and

WHEREAS, 7,533 domestic violence victims (4,003 intimate partner and 3,530 other family victims) were reported by Suffolk County law enforcement agencies to the New York State Division of Criminal Justice in 2013; and

WHEREAS, according to the New York State Office for the Prevention of Domestic Violence, the total number of homicides decreased statewide between 2012 and 2013, however, the number of intimate partner homicides increased by 16%; and

WHEREAS, according to the Bureau of Justice Statistics, domestic violence accounted for 21% of all violent victimizations during the period from 2012 to 2013; and

WHEREAS, in the absence of intervention, domestic violence can and does escalate resulting in physical injury, psychological trauma and in severe cases, death; and

WHEREAS, since 2000, twenty-one states and the District of Columbia have enacted legislation mandating or recommending that criminal justice agencies employ electronic (GPS) monitoring to protect abused individuals under specific conditions; several other states, including New York State, are considering such legislation; and

WHEREAS, in certain high risk domestic violence cases, the use of electronic monitoring devices that provide victims with corresponding proximity detectors to notify them if the offender is within a pre-set range will enhance enforcement of orders of protection, increase victim safety and provide greater accountability for offenders; and

WHEREAS, the County of Suffolk should monitor domestic violence offenders who pose a credible threat to victims and their children electronically; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Probation shall conduct a Domestic Violence Monitoring Pilot Program in which thirty (30) electronic (GPS) monitoring devices will be used solely to monitor domestic violence offenders; and be it further

2nd RESOLVED, that the Department of Probation is authorized and empowered to provide the Suffolk County Family Court with the capacity to electronically monitor respondents in the Family Court who are subject to a stay away order of protection for a family offense, as defined in NEW YORK FAMILY COURT ACT § 842(a), when the respondent poses a threat to the physical safety of the victim/petitioner or the victim/petitioner's child(ren); in cases where electronic (GPS) monitoring is used, the Department of Probation shall request that said monitoring be paid for by the respondent; and be it further

3rd **RESOLVED**, that the Department of Probation shall provide a written report to the County Legislature on a semi-annual basis, as well as an annual review, on the progress of the electronic (GPS) monitoring program. The written reports shall include, but not be limited to: the number of devices deployed; the number of times the devices were activated and the reasons for such activation; and the disposition of each activated alert, including non-identifying information on whether police were notified, whether the victim and respondent had physical contact, and whether the respondent was arrested; and be it further

4th **RESOLVED**, that the Department of Probation shall draft and issue a Request for Expressions of Interest for the provision of thirty (30) electronic (GPS) monitoring devices with proximity detectors to be purchased by the Suffolk County District Attorney; and be it further

5th **RESOLVED**, that the electronic (GPS) monitoring devices purchased in conformance with this resolution shall be used solely for the monitoring of domestic violence offenders who are in contact with the criminal or family court systems; and be it further

6th **RESOLVED**, that the Domestic Violence Monitoring Pilot Program shall be established and operational within ninety (90) days of the effective date of this resolution; and be it further

7th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: May 12, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 28, 2015