

RESOLUTION NO. 403 -2015, PRIORITIZING MONITORING OF DOMESTIC VIOLENCE OFFENDERS

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

WHEREAS, many individuals charged with domestic violence related offenses are released on their own recognizance or on bail during the pendency of their case or are placed under the supervision of probation during the pendency of their case or following disposition by the court; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Probation is hereby authorized and empowered to recommend to presiding judges, as a condition of supervised release during the pendency of a criminal action or as a condition of interim probation or a sentence of probation, that any person who (a) has been convicted of or charged with a family offense, as defined in NEW YORK CRIMINAL PROCEDURE LAW § 530.11 and (b) is subject to a stay away order of protection, be subject to electronic GPS monitoring in conformance with Articles 510 and 530 of the NEW YORK CRIMINAL PROCEDURE LAW and Article 65 of the NEW YORK PENAL LAW; and be it further

2nd RESOLVED, that electronic (GPS) monitoring devices associated with the implementation of the resolution will be obtained by the District Attorney as part of the Domestic Violence Monitoring Pilot Program; and be it further

3rd RESOLVED, that the costs associated with electronic (GPS) monitoring shall be paid for by the defendant; and be it further

4th 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 this initiative. 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

5th 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