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A RESOLUTION TO BE SUBMITTED
BY LEGISLATORS MARINELLI, MAZUR & HOGUES

RE: Recognizing Freedom from Domestic Violence as a Fundamental Human Right

WHEREAS, it is estimated that one in four American women experience domestic violence within their lifetimes; and

WHEREAS, three women and one man are murdered by their spouses or partners in the United States every day; and

WHEREAS, domestic violence costs the United States more than $5.8 billion each year; and

WHEREAS, police and sheriff departments, city and local police agencies, courts and other local government entities constitute the first line of defense against domestic violence; and

WHEREAS, the aforementioned costs of domestic violence are principally borne by the criminal justice system and police agencies; and

WHEREAS, the world community and leaders within the United States recognize domestic violence as a human rights issue; and

WHEREAS, by recognizing domestic violence as a human rights issue with very deep, broad and costly ramifications that include, but are not limited to, expenses shouldered by taxpayers and businesses – and more importantly, the human cost of loss of life or physical injury; and

WHEREAS, this cost is dramatically illustrated by *The Gonzales Case: A Human Rights Approach to Combating Domestic Violence,* which describes the terrible consequences, to wit, the loss of life of three children, when a local government does not enforce an order of protection; and

WHEREAS, the Inter-American Commission on Human Rights (IACHR), a judicial body of the Organization of American States (OAS) found that the United States was responsible for human rights violations related to this case when it maintained that the local government had no mandatory duty to enforce protective orders; and

WHEREAS, the IACHR was authorized in 1965 to accept petitions regarding specific cases of domestic human rights violations as part of its mission to promote the observance and defense of human rights in the Americas; and

WHEREAS, this decision allows advocates and policy makers in the United States new avenues to combat domestic violence; and

WHEREAS, it is fitting and proper to bring attention to this important public policy issue in conjunction with our community's upcoming observance of the Month of October as Domestic Violence Awareness Month.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body recognize that freedom from domestic violence is a fundamental human right; and be it further

RESOLVED, that the Erie County Legislature commend the policies and actions of local and state police agencies that bear the primary responsibility of securing this fundamental human right on behalf of their citizens; and be it further

RESOLVED, that representatives from The Women, Children and Social Justice Clinic at SUNY Buffalo Law School be invited to a future meeting of the Erie County Legislature's Health and Human Services Committee to discuss the Gonzales case to illustrate the importance of this public policy issue; and be it further

RESOLVED, that copies of this resolution be conveyed to the Erie County Executive, the Erie County Sheriff, the Commissioner of Central Police Services, The Women, Children and Social Justice Clinic at SUNY Buffalo Law School and to all others deemed necessary and proper.

Fiscal Impact: None for resolution.