Recognizing Freedom From Domestic Violence as a Fundamental Human Right

Local Resolutions Across the United States*

Attached are resolutions from nine cities and counties across the United States, recognizing freedom from domestic violence as a fundamental human right. This is achieved in three distinct ways.

First, Albany, Baltimore, Cincinnati, Miami Springs, Miami-Dade, and Washington, DC passed local resolutions that recognize freedom from domestic violence as a human right. The Miami Springs, Miami-Dade, and Washington, DC resolutions go a step further in that they serve as a charge to local government officials to incorporate these principles into their practices.

Next, the Seattle resolution is a call upon the federal government to reapprove the Violence Against Women Act (“VAWA”), in order to “ensure the right to be protected against violence.”

Finally, the Montgomery City and County, Alabama, and Erie County “resolutions” are in fact proclamations declaring October as domestic violence awareness month. However, the final line in the Montgomery proclamation provides that “domestic violence is a human right toward which state and local governments should aspire on behalf of all the citizens they serve.”

2. Baltimore, MD (2012)
3. Cincinnati, OH (2011)
4. Erie County, NY (2013)
7. Montgomery City and County, AL (2012)

* As of January 24, 2013
For additional information please contact the University of Miami Human Rights Clinic or the Columbia Law School Human Rights Institute.

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Albany, NY
(City)
2012
RESOLUTIONS INTRODUCED

1.11.13R RESOLUTION OF THE COMMON COUNCIL RE-APPOINTING ANDREW JOYCE TO THE CABLE TELEVISION PUBLIC, EDUCATION AND GOVERNMENT ACCESS OVERSIGHT BOARD

2.11.13R RESOLUTION OF THE COMMON COUNCIL RE-APPOINTING JOSEPH M. BONILLA TO THE CABLE TELEVISION PUBLIC, EDUCATION AND GOVERNMENT ACCESS OVERSIGHT BOARD

3.11.13R RESOLUTION OF THE COMMON COUNCIL RECOGNIZING THE FREEDOM FROM DOMESTIC VIOLENCE AS A FUNDAMENTAL HUMAN RIGHT
Council Member Fahey introduced the following:

Resolution Number 3.11.13R

RESOLUTION OF THE COMMON COUNCIL RECOGNIZING THE FREEDOM FROM DOMESTIC VIOLENCE AS A FUNDAMENTAL HUMAN RIGHT

WHEREAS, world leaders and leaders within the United States recognize that domestic violence is a human rights concern; and

WHEREAS, in 2011, the United Nations Special Rapporteur on Violence Against Women identified several deficiencies in the regulation of domestic violence in the United States, including the need to explore more uniform remedies for victims of domestic violence; the need to re-evaluate existing mechanisms for protecting victims and punishing offenders at federal, state, and local levels, given that calls for help often do not result in either arrests or successful prosecutions; and the need for additional public education campaigns that condemn all forms of violence; and

WHEREAS, on August 17, 2011, the Inter-American Commission on Human Rights found the United States in violation of Articles I, II, VII, and XVII of the American Declaration for breaching its duty to protect Jessica Lenahan and her children from domestic violence; and

WHEREAS, more than 1 in 3 women and more than 1 in 4 men in the United States will experience rape, physical violence, and/or stalking by an intimate partner at some point in their lives, according to the Centers for Disease Control; and

WHEREAS, 44% of African American women, 37% of Hispanic women, and 35% of white women have experienced rape, physical violence, and/or stalking by an intimate partner; and 39% of African American men, 27% of Hispanic men, and 28% of white men have experienced rape, physical violence, and/or stalking by an intimate partner, according to the Centers for Disease Control; and

WHEREAS, 73 New Yorkers died as a result of intimate partner homicide in 2010 according to the New York State Office for the Prevention of Domestic Violence; and

WHEREAS, the Domestic Violence Legal Connection of the Capital District Women’s Bar Association Legal Project provided pro bono and reduced fee civil representation to 1,209 victims of Domestic Violence in 2010; and

WHEREAS, Equinox provided services to 1,612 persons who experienced domestic violence in 2010 either in person or over the telephone on their 24-hour domestic violence hotline including; providing shelter for 237 adults and their 116 children and helping 374 victims obtain final orders of protection from the courts; and
WHEREAS, New York Courts issued a total of 301,488 orders of protection in 2010, of which 219,876 were required to be recorded in the Unified Court System’s Domestic Violence Registry; and

WHEREAS, the number of required orders of protection issued in New York State increased 6% from 2009 to 2010 and 34% from 2007; and

WHEREAS, in 2010, almost 1,100 individuals under the age of 21 filed family offense petitions in New York State Family Courts under the expanded definition of “intimate relationship,” a 22% increase from 2009; and

WHEREAS, 11% of New York State high school students surveyed in 2009 reported that they were hit, slapped or physically hurt on purpose by their boyfriend or girlfriend; and

WHEREAS, the New York State Division of Criminal Justice Services reports that 4,705 Albany County residents were victims of domestic violence offenses in 2009 and 2010; and

WHEREAS, in 2010 and 2011, the Office of Court Administration indicates that over 3,000 temporary or final orders of protection were issued in Albany Family Court; and

WHEREAS, in 2011 there were over 9,400 reported cases of domestic violence in the Capital District alone – some of the highest reported numbers of any district in New York State; and

WHEREAS, survivors of domestic violence experience physical injuries, long-term psychological damage, financial instability, trouble finding safe housing; and

WHEREAS, police and sheriff’s departments, courts, cities, counties, social services agencies, and other local government entities constitute the first line of defense against domestic violence.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany joins world leaders and leaders within the United States in recognition of domestic violence as a human rights concern and declares that the freedom from domestic violence is a fundamental human right.

BE IT FURTHER RESOLVED, that state and local governments should continue to secure this human right on behalf of their citizens.
TO: Nala Woodard, City Clerk
FROM: Cathy Fahey, Council Member
RE: Request for Common Council Legislation Supporting Memorandum
DATE: December 20, 2012

RESOLUTION NUMBER 3.11.13R

TITLE: RESOLUTION OF THE COMMON COUNCIL RECOGNIZING THE FREEDOM FROM DOMESTIC VIOLENCE AS A FUNDAMENTAL HUMAN RIGHT

GENERAL PURPOSE OF LEGISLATION: FOR the purpose of joining world leaders and leaders within the United States in recognition of domestic violence as a human rights concern and declaring that the freedom from all domestic violence, regardless of whether inflicted by a current or former spouse, a current or former intimate partner, or a family member is a fundamental human right.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW: This resolution declares that freedom from domestic violence is a human right.

FISCAL IMPACT: None.
Albany, NY
(County)
Executive Order
2012
EXECUTIVE ORDER AND DIRECTIVE 12-05
Issued by
ALBANY COUNTY EXECUTIVE DANIEL MCCOY

Whereas, Albany County hereby declares freedom from domestic violence to be a fundamental human right; and

Whereas, 73 New Yorkers were victims of intimate partner homicide in 2010 according to the New York State Office for the Prevention of Domestic Violence; and

Whereas, Equinox provided services through their 24-hour domestic violence hotline to 1,612 persons who experienced domestic violence in 2010; also in 2010, Equinox provided shelter for 237 adults and their 116 children and helped 363 victims retrieve orders of protection from the courts; and

Whereas, New York courts issued a total of 301,488 orders of protection in 2010, of which 219,876 were required to be recorded in the Unified Court System's Domestic Violence Registry; and

Whereas, the number of required orders of protection issued in New York State increased 6% from 2009 to 2010, and 34% from 2007; and

Whereas, in 2010, almost 1,100 individuals under the age of 21 filed family offense petitions in New York State Family Courts under the expanded definition of "intimate relationship", a 22% increase from 2009; and

Whereas, 11% of New York State high school students surveyed in 2009 reported that they were intentionally hit, slapped or physically hurt by their boyfriend or girlfriend (New York State Domestic Violence Dashboard Project 2010 Data); and

Whereas, the Albany County Crime Victims and Sexual Violence Center provided services, including information, referral services and criminal advocacy for approximately 2,231 victims of domestic violence in 2011.

Whereas, survivors of domestic violence experience physical injuries, long-term psychological damage, financial instability, and difficulty finding safe housing; and
Whereas, police and sheriff’s departments, courts, cities, counties, social service agencies, and other local government entities constitute the first line of defense against domestic violence; and

THEREFORE, I, Daniel McCoy, Albany County Executive, by virtue of the powers vested in me pursuant to the Albany County Charter and the laws of the State of New York, HEREBY ORDER AND DIRECT THAT:

(1) The County joins world leaders and leaders within the United States in recognition of domestic violence as a human rights concern and declares freedom from domestic violence to be a fundamental human right; and

(2) This Order shall serve as a declaration assuring the citizens of the County that the County government bears a moral responsibility to secure this human right on behalf of its people; and

(3) This Order shall serve as a charge to all County agencies to incorporate these principles into their policies and practices; and

(4) A copy of this Order be sent to the Chair of the Albany County Legislature, the Albany County Sheriff’s Department as well as the mayors and/or head executives of each municipality within Albany County.

Dated: 31st day of October, 2012
Albany, NY

Daniel P. McCoy
Albany County Executive
Albany, NY
(County)
Proclamation of the Albany County Legislature
2012
Proclamation of the Albany County Legislature
Concerning the Freedom from Domestic Violence as a Fundamental Human Right

FOR the purpose of joining world leaders and leaders within the United States in recognition of domestic violence as a human rights concern and declaring that the freedom from all domestic violence regardless of whether inflicted by a current or former spouse, a current or former intimate partner, or a family member is a fundamental human right,

WHEREAS, world leaders and leaders within the United States recognize that domestic violence is a human rights concern; and

WHEREAS, in 2011, the United Nations Special Rapporteur on Violence Against Women identified several deficiencies in the regulation of domestic violence in the United States, including the need to explore more uniform remedies for victims of domestic violence, the need to re-evaluate existing mechanisms for protecting victims and punishing offenders at federal, state, and local levels, given that calls for help often do not result in either arrests or successful prosecutions; and the need for additional public education campaigns that condemn all forms of violence; and

WHEREAS, on August 17, 2011, the Inter-American Commission on Human Rights found the United States in violation of Articles I, II, VII, and XVII of the American Declaration for breaching its duty to protect Jessica Lenahan and her children from domestic violence; and

WHEREAS, more than 1 in 3 women and more than 1 in 4 men in the United States will experience rape, physical violence, and/or stalking by an intimate partner at some point in their lives, according to the Centers for Disease Control; and

WHEREAS, 44% of African American women, 37% of Hispanic women, and 35% of white women have experienced rape, physical violence, and/or stalking by an intimate partner; and 39% of African American men, 27% of Hispanic men, and 28% of white men have experienced rape, physical violence, and/or stalking by an intimate partner, according to the Centers for Disease Control; and

WHEREAS, 73 New Yorkers died as a result of intimate partner homicide in 2010 according to the New York State Office for the Prevention of Domestic Violence; and

WHEREAS, the Domestic Violence Legal Connection of the Capital District Women’s Bar Association Legal Project provided pro bono and reduced fee representation to 1,209 victims of Domestic Violence in 2010; and

WHEREAS, Equinox provided services to 1,612 persons who experienced domestic violence in 2010 either in person or over the telephone on their 24-hour domestic violence hotline including providing shelter for 257 adults and their 116 children and helping 374 victims obtain final orders of protection from the courts; and

WHEREAS, New York Courts issued a total of 501,488 orders of protection in 2010, of which 219,876 were required to be recorded in the Unified Court System’s Domestic Violence Registry; and

WHEREAS, the number of required orders of protection issued in New York State increased 6% from 2009 to 2010 and 84% from 2007; and

WHEREAS, in 2010, almost 1,100 individuals under the age of 21 filed family offense petitions in New York State Family Courts under the expanded definition of ‘intimate relationship’ a 22% increase from 2009; and

WHEREAS, 11% of New York State high school students surveyed in 2009 reported that they were hit, slapped or physically hurt on purpose by their boyfriend or girlfriend; and

WHEREAS, the New York State Division of Criminal Justice Services reports that 4,705 Albany County residents were victims of domestic violence offenses in 2009 and 2010; and

WHEREAS, in 2010 and 2011, the Office of Court Administration indicates that over 3,000 temporary or final orders of protection were issued in Albany Family Court; and

WHEREAS, in 2011 there were over 9,400 reported cases of domestic violence in the Capital District alone – some of the highest reported numbers of any district in New York State; and

WHEREAS, survivors of domestic violence experience physical injuries, long-term psychological damage, financial instability, trouble finding safe housing, and

WHEREAS, police and sheriff's departments, courts, cities, counties, social services agencies, and other local government entities constitute the first line of defense against domestic violence.

NOW, THEREFORE, BE IT RESOLVED BY THE ALBANY COUNTY LEGISLATURE, this Body joins world leaders and leaders within the United States in recognition of domestic violence as a human rights concern and declares that the freedom from domestic violence is a fundamental human right,

AND BE IT FURTHER RESOLVED, that local governments should continue to secure this human right on behalf of their citizens.

AND BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the Albany County Executive, the Albany County District Attorney, the Albany County Sheriff’s Department and the Albany County Courts.
Baltimore, MD
2012
CITY OF BALTIMORE
COUNCIL BILL 12-0034R
(Resolution)

Introduced by: Councilmembers Curran, Henry, Stokes, Kraft, Branch, Middleton, Holton, Cole, Mosby, Scott, Clarke, Reisinger, President Young, Councilmember Welch
Introduced and adopted: March 19, 2012

A COUNCIL RESOLUTION CONCERNING

The Freedom from Domestic Violence is a Fundamental Human Right

FOR the purpose of joining world leaders and leaders within the United States in recognition of domestic violence as a human rights concern and declaring that the freedom from domestic violence is a fundamental human right.

Recitals

WHEREAS, more than 1 in 3 women and more than 1 in 4 men in the United States will experience rape, physical violence, and/or stalking by an intimate partner at some point in their lives, according to the Centers for Disease Control; and

WHEREAS, 44% percent of African American women, 37% of Hispanic women, and 35% of white women have experienced rape, physical violence, and/or stalking by an intimate partner; and 39% of African American men, 27% of Hispanic men, and 28% of white men have experienced rape, physical violence, and/or stalking by an intimate partner, according to the Centers for Disease Control; and

WHEREAS, 43 Marylanders died as a result of domestic violence between July 2010 and June 2011 according to the Maryland Network Against Domestic Violence; and

WHEREAS, the Women’s Law Center of Maryland provided services to over 800 people who experienced domestic violence in 2010, including: Protection Order advocacy for 769 clients, immigration representation and services for 62 clients, and information and referrals on hundreds of Family Law Hotline calls related to domestic violence; and

WHEREAS, the House of Ruth of Maryland provided services to more than 600 women and children at 13 Baltimore locations in 2010, including: shelter to 114 families and 193 additional women, psychotherapy to over 400 women and children through its Domestic Violence Support Center, and childcare at its Kidspace developmental daycare center; and

WHEREAS, 4,265 Protective Order petitions were filed for protection from domestic violence in Baltimore City between July 1, 2009 and June 30, 2010, with a total of 25,091 such petitions in Maryland District Courts during that year, according to the Maryland Administrative Office of the Courts; and

EXPLANATION: Underlining indicates matter added by amendment. Strikeout indicates matter deleted by amendment.
Council Bill 12-0034R

WHEREAS, the petitioner requesting protection from abuse was represented by an attorney in
only 23 of 369 proceedings observed at the Baltimore City Eastside District Court by University
of Baltimore Family Law Clinic Court Watch Project between September 19, 2011 and October
14, 2011; and

WHEREAS, survivors of domestic violence experience physical injuries, long-term
psychological damage, financial instability, and trouble finding safe housing; and

WHEREAS, police and sheriff’s departments, courts, cities, social services agencies, and other
local government entities constitute the first line of defense against domestic violence; and

WHEREAS, world leaders and leaders within the United States recognize that domestic
violence is a human rights concern; and

WHEREAS, the United Nations Declaration on the Elimination of Violence Against Women,
adopted in 1993, recognizes the urgent need for the universal application to women of the rights
and principles with regard to equality, security, liberty, integrity, and dignity of all human beings; and

WHEREAS, the United Nations Special Rapporteur on Violence Against Women has urged
the United States government to reassess existing mechanisms for protecting domestic violence
survivors and for punishing abusers, stating that “violence against women is the most pervasive
human rights violation which continues to challenge every country in the world, and the U.S. is
not exception”; and

WHEREAS, on August 17, 2011, the Inter-American Commission on Human Rights found the
United States in violation of Articles I, II, VII, and XVII of the American Declaration for
breaching its duty to protect Jessica Lenahan and her children from domestic violence, also
determining that the U.S.‘s failure to protect women from gender-based violence constitutes
discrimination and denies women their right to equality.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, this Body
joins world leaders and leaders within the United States in recognition of domestic violence as a
human rights concern and declares that the freedom from domestic violence is a fundamental
human right.

AND BE IT FURTHER RESOLVED, that state and local governments should continue to secure
this human right on behalf of their citizens.

AND BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the Mayor, the
Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the
Maryland General Assembly, the Police Commissioner, the Director of the Mayor’s Office of
Criminal Justice, and the Mayor’s Legislative Liaison to the City Council.
Cincinnati, OH
2011
DECLARING that freedom from domestic violence is a fundamental human right and further
DECLARING that local governments have a responsibility to continue securing this right on
behalf of their citizens.

WHEREAS, according to the Domestic Violence Resource Center, one in four women
and one in thirteen men experiences domestic violence in their lifetimes; and

WHEREAS, Hamilton County Pre-Trial Services reports that there were 3,828 domestic
violence arrests in 2010, a six percent increase from 2009, and only 28.7 percent (1,098) of those
arrested were sentenced; and

WHEREAS, of the 1,098 sentenced, 73 percent received probation, 23 percent were
ordered to jail, and 506 protection orders were issued; and

WHEREAS, in Hamilton County between 2008 and 2010, sixteen women and two
children were victims of domestic violence homicide and, in each case, the woman had ended
her relationship with her abuser and planned to leave or had already done so; and

WHEREAS, the Hamilton County YWCA Battered Women’s Shelter responded to
21,778 hotline calls and sheltered 599 women and children in 2010; and

WHEREAS, due to increased demand, the Battered Women’s Shelter expanded its
shelter capacity from 54 beds to 72 beds in 2010; and

WHEREAS, survivors of domestic violence must deal with the effects of physical
injuries, long-term psychological damage, financial instability, and trouble finding safe housing;
and

WHEREAS, police and sheriff’s departments, courts, cities, social service agencies, and
other local government entities constitute the first line of defense against domestic violence; and

WHEREAS, police and sheriff’s departments, courts, cities, social service agencies, and
other local government entities incur significant monetary costs due to domestic violence; and

WHEREAS, world leaders and leaders within the United States recognize that domestic
violence is a human rights concern; and
WHEREAS, the United Nations Declaration on the Elimination of Violence against Women, adopted in 1993, recognizes the urgent need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity, and dignity of all human beings, noting that "those rights and principles are enshrined in international instruments, including the Universal Declaration of Human Rights"; and

WHEREAS, the United Nations Commission on Human Rights condemned violence and human rights violations against women in March, 1994; and

WHEREAS, by recognizing that domestic violence is a human rights issue, the City of Cincinnati will raise awareness and enhance domestic violence education in communities, the public and private sectors, and within government agencies; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City of Cincinnati declares that freedom from domestic violence is a fundamental human right.

Section 2. That the City of Cincinnati declares that state and local governments bear a responsibility to continue securing this human right on behalf of their citizens.

Section 3. That a copy of this resolution be spread upon the minutes of Council.

Passed: October 5, 2011

Mayor

Attest: Clerk

Submitted by Vice-Mayor Roxanne Qualls
Erie County, NY
2013
I Hereby Certify, that at a Session of the Legislature of Erie County, will be held in Old County Hall, in the City of Buffalo, on the 10th Day of October 2013, a Resolution will be adopted, of which the following is a True Copy:

WHEREAS, every year, our nation, state and community recognize the month of October as Domestic Violence Awareness Month; and

WHEREAS, this commemoration is a time to remember those whose lives were lost or forever altered due to this scourge on our community; and

WHEREAS, according to the National Institute of Justice and Center for Disease Control, 1.5 million women are physically assaulted by an intimate partner in the United States; and

WHEREAS, domestic abuse and violence turn upside down an individual’s or family’s belief that “There’s no place like home,” which for most Americans is a place of peace and comfort, but for victims is a place of fear and despair; and

WHEREAS, this year, under the leadership of the Erie County Commission on the Status of Women, our community has become engaged in one recurring and one brand new initiative; and

WHEREAS, the annual “Break the Cycle Bike-a-Thon and Walk” is a fundraising event that took place on Saturday, Sept. 28, 2013 in Isle View Park to help fund the Tribute Garden honoring lives affected by domestic violence; and

WHEREAS, “Break the Cycle” just marked its 4th annual Bike-a-Thon and Walk and was an enormous success due to the efforts of not only the Women’s Commission, but also CSEA, Erie County Department of Social Services, Catholic Charities, Crisis Services, Erie County Coalition Against Family Violence, Erie County District Attorney’s Office, Erie County Sheriff’s Office Domestic Violence Unit, Family Justice Center of Erie County, Haven House, Hispanics United and YWCA of the Tonawandas; and

WHEREAS, the permanent, public Tribute Garden will be located in Isle View Park, a lasting place of beauty, contemplation and peace for domestic violence victims, survivors and their families.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body pause in its deliberations to mark the month of October 2013 as Domestic Violence Awareness Month in Erie County; and be it further

RESOLVED, that the Erie County Legislature commend the following organizations for their commitment to the mission to end domestic abuse and violence -- the Erie County Commission on the Status of Women, CSEA, Erie County Department of Social Services, Catholic Charities, Crisis Services, Erie County Coalition Against Family Violence, Erie County District Attorney’s Office, Erie County Sheriff’s Office - Domestic Violence Unit, Family Justice Center of Erie County, Haven House, Hispanics United and YWCA of the Tonawandas.
RESOLUTION NO. 2012-3555

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA; EXPRESSING THE CITY’S INTENT TO DECLARE THAT THE FREEDOM FROM DOMESTIC VIOLENCE IS A FUNDAMENTAL HUMAN RIGHT; EFFECTIVE DATE

WHEREAS, the City of Miami Springs seeks to enhance the public welfare by declaring that the protection against domestic violence is a fundamental human right; and,

WHEREAS, survivors of domestic violence must deal with the effects of physical injuries, long-term psychological damage, financial instability, and trouble finding safe housing; and,

WHEREAS, more than one in three women and more than one in four men in the United States will experience rape, physical violence, and/or stalking by an intimate partner at some point in their lives; and this problem disproportionally impacts women of color, women with disabilities, women with low income, and immigrant women within Miami-Dade County, as well as their children; and,

WHEREAS, according to 2011 Uniform Crime Reports, of the 111,681 reported domestic violence offenses statewide, 9,313 occurred in Miami-Dade County, representing the highest number of domestic violence cases of any county in Florida; and,
WHEREAS, world leaders and leaders within the United States recognize that domestic violence is a human rights concern; and police and sheriffs departments, courts, counties, cities, social service agencies, and other local government entities constitute the first line of defense against domestic violence; and,

WHEREAS, by recognizing that domestic violence is a human rights violation, Miami-Dade County will raise awareness and enhance domestic violence education in communities, the public and private sectors, and within government agencies:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:

Section 1: That the City Council of the City of Miami Springs hereby expresses its intent to join world leaders and leaders within the United States in recognition of domestic violence as a human rights concern and declares that the freedom from domestic violence is a fundamental human right.

Section 2: That this Resolution shall serve as a declaration to assure the residents of the City that state and local governments bear a moral responsibility to secure this human right on behalf of their residents.

Resolution No. 2012-3555
Section 3: That this Resolution shall serve as a charge to all local government agencies to incorporate these principles into their policies and practices.

Section 4: That a copy of this Resolution is to be sent to the Mayor, the Honorable Chair and Members of the Board of County Commissioners, the Director of the Miami-Dade Police Department, the Mayor and Commission and Council member of each municipality within Miami-Dade County.

Section 5: That the provisions of this Resolution shall be effective immediately upon adoption by the City Council.

(This space intentionally left blank)
PASSED AND ADOPTED by the City Council of the City of Miami Springs, Florida, this 10th day of September, 2012.

The motion to adopt the foregoing resolution was offered by Councilman Best, seconded by Councilwoman Bain, and on roll call the following vote ensued:

Vice Mayor Lob  "aye"
Councilman Best  "aye"
Councilwoman Bain  "aye"
Councilwoman Ator  "aye"
Mayor Garcia  "aye"

Approved as to legality and form:

Jan K. Seiden, City Attorney

Resolution No. 2012-3555
Miami-Dade, FL
2012
MEMORANDUM

TO: Honorable Chairman Joe A. Martinez
   and Members, Board of County Commissioners

FROM: R. A. Cuevas, Jr.
       County Attorney

DATE: July 17, 2012

SUBJECT: Resolution expressing the Board’s intent to declare that the freedom from domestic violence is a fundamental human right

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

R. A. Cuevas, Jr.
County Attorney

RAC/jls
Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's, 3/5's, unanimous) to approve
- Current information regarding funding source, index code, and available balance, and available capacity (if debt is contemplated) required
RESOLUTION NO.

RESOLUTION EXPRESSING THE BOARD'S INTENT TO DECLARE THAT THE FREEDOM FROM DOMESTIC VIOLENCE IS A FUNDAMENTAL HUMAN RIGHT

WHEREAS, the Board of County Commissioners ("Board") of Miami-Dade County, Florida ("County") seeks to enhance the public welfare by declaring that the protection against domestic violence is a fundamental human right; and

WHEREAS, survivors of domestic violence must deal with the effects of physical injuries, long-term psychological damage, financial instability, and trouble finding safe housing; and

WHEREAS, more than 1 in 3 women and more than 1 in 4 men in the United States will experience rape, physical violence, and/or stalking by an intimate partner at some point in their lives; and this problem disproportionately impacts women of color, women with disabilities, women with low income, and immigrant women within Miami-Dade County, as well as their children; and

WHEREAS, according to 2011 Uniform Crime Reports, of the 111,681 reported domestic violence offenses Statewide, 9,313 occurred in Miami-Dade County, representing the highest number of domestic violence cases of any county in Florida; and

WHEREAS, of those 9,313 Miami-Dade County domestic violence offenses, about half (4,736) resulted in arrests; and of the 5,970 temporary injunctions issued in Miami-Dade County on domestic violence, dating violence, and sexual violence, twenty-three percent (1,401) resulted in the issuance of permanent injunctions; and

WHEREAS, in 2011, in Miami-Dade County, domestic violence victims made 5,567 crisis hotline and direct service calls for assistance; and shelters provided overnight protection to victims fleeing domestic violence 23,276 times; and there were 1,846 new admissions to residential and nonresidential domestic violence service facilities; and
WHEREAS, the United Nations Declaration on the Elimination of Violence Against Women recognizes the urgent need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity, and dignity of all human beings, and the United Nations Special Rapporteur on Violence Against Women has stated that "violence against women is the most pervasive human rights violation" and has urged the United States government to reassess laws and policies for protecting domestic violence survivors and for punishing abusers; and

WHEREAS, in 2011, the Inter-American Commission on Human Rights found in *Jessica Lenahan (Gonzales) v. United States* that the United States' failure to protect women from gender-based violence constitutes discrimination and a human rights violation, and urged the United States to enact law and policy reforms to protect victims of domestic violence and their children; and

WHEREAS, world leaders and leaders within the United States recognize that domestic violence is a human rights concern; and police and sheriffs departments, courts, counties, cities, social service agencies, and other local government entities constitute the first line of defense against domestic violence; and

WHEREAS, by recognizing that domestic violence is a human rights violation, Miami-Dade County will raise awareness and enhance domestic violence education in communities, the public and private sectors, and within government agencies,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board expresses its intent to join world leaders and leaders with in the United States in recognition of domestic violence as a human rights concern and declares that the freedom from domestic violence is a fundamental human right.
Section 2. This Resolution shall serve as a declaration to assure the citizens of the County that state and local governments bear a moral responsibility to secure this human right on behalf of their residents.

Section 3. This Resolution shall serve as a charge to all local government agencies to incorporate these principles into their policies and practices.

Section 4. A copy of this Resolution is to be sent to the Mayor, the Honorable Chair and Members of the Board of County Commissioners, the Director of the Miami-Dade Police Department, the Mayors and Commission and Council members of each municipality within Miami-Dade County.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Audrey M. Edmonson, Vice Chairwoman
Bruno A. BarreiroLynda Bell
Esteban L. Bovo, Jr. Jose "Pepe" Diaz
Sally A. HeymanBarbara J. Jordan
Jean MonestimeDennis C. Moss
Rebeca SosaSen. Javier D. Souto
Xavier L. Suarez
The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of July, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: ______________________________________
    Deputy Clerk

Approved by County Attorney as to form and legal sufficiency.

Shannon D. Summerset-Williams
Montgomery County and City, AL
2012
Domestic Violence Awareness Month Proclamation

October 2012

Whereas, domestic violence is a coercive violation that occurs within families, betraying our fundamental understanding of home as a safe haven, of the bonds of love and of the conditions of trust; and

Whereas, domestic violence affects individuals and families from every race, gender, age and walk of life; and

Whereas, domestic violence is much more than simple quarreling or routine arguments; rather, it is a cycle of violence spawned by the perpetrator's desire for power and control that can and does escalate to the point of serious injury or death; and

Whereas, domestic violence affects one in three women in the United States; and

Whereas, children are always negatively impacted by violence in the home, whether they are physically or verbally abused themselves or simply witness the violence; and

Whereas, thirty percent of Americans say they know a woman who has been physically abused by her husband or boyfriend in the past year, which means that a significant percentage of Montgomery area citizens are acquainted with someone who has been bound by the unyielding tethers of domestic violence; and

Whereas, survivors of domestic violence experience physical injuries, long-term psychological damage, financial instability, and trouble finding safe housing; and

Whereas, police and sheriff's departments, courts, cities, social services agencies, and other local government entities constitute the first line of defense against domestic violence; and

Whereas, U.S. and world leaders recognize that domestic violence is a human rights concern; and

Whereas, considering domestic violence through the lens of human rights heightens its gravity and lends weight to the importance of awareness, education and response in public and private sectors; and

Whereas, the City of Montgomery and its neighbors in Montgomery have been dedicated for years to confronting domestic violence, to providing coordinated community responses to its victims, and to advocating for peace in our homes and families;

NOW, THEREFORE, BE IT RESOLVED, that Montgomery City and County officials declare October 2012, to be Domestic Violence Awareness Month, a time to reflect on abuse in area homes, its implications and positive ways to assist victims, and to recognize those members of our community devoted to making homes safe havens;

AND BE IT FURTHER RESOLVED, that these officials join U.S. and world leaders in recognizing domestic violence as a human rights concern and declare that freedom from domestic violence is a human right toward which state and local governments should aspire on behalf of all of the citizens they serve.

[Signature]

[Signature]
Resolution #12-03: Support for House Passage of Senate VAWA bill

Whereas, all Seattle residents are born free and equal in dignity and rights; and

Whereas, the Seattle Human Rights Commission is committed to protecting and advocating for justice, human rights, and the equal treatment of all people who live and work in Seattle; and

Whereas, the protection against violence is a fundamental human right,

Whereas, reauthorization of the Violence Against Women Act (VAWA) has stalled in Congress; and

Whereas, the Senate version of VAWA includes important protections for groups particularly affected by violence against women, as Native Americans, immigrants and refugees, and LGBTQ communities while the House version of VAWA does not; and

Whereas, the Senate version of VAWA more fully embodies the core human rights of equality, safety, liberty, integrity and dignity which are enshrined in the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the American Declaration on Human Rights among others;

Whereas, the United Nations Special Rapporteur on Violence Against Women has urged the U.S. to reassess its laws and policies protecting domestic violence survivors and punishing abusers; and

Whereas, in 2011 the Inter-American Commission of Human Rights (ICHHR) already required the United States to comply with its international duty to prevent violence against women in the case of Jessica Lenahan (Gonzáles) v. the United States, through the enactment of legislation and policy reforms that do not discriminate and provide for equal protection before the law to victims of domestic violence and their children, under Article II of the American Declaration on Human Rights; and

Whereas, the Commission supports the Seattle Women’s Commission’s call for the U.S. House to pass the Senate version of VAWA and the Commission co-sponsored a public rally with the Seattle Women’s Commission to support the Senate version of VAWA on June 27, 2012;

Therefore be it resolved, that the Seattle Human Rights Commission hereby declares its support for the U.S. Senate version of VAWA and calls upon the U.S. House of Representatives to pass the Senate version this year, in compliance with its international obligations to enact legislation that does not discriminate and to respect and ensure the right to be protected against violence.

Adopted by the Seattle Human Rights Commission on September 6, 2012

Christopher Stearns, Chairman   Nika Dahlbaka, Secretary
Washington, DC
2013
A COUNCIL RESOLUTION

DECLARING that freedom from domestic violence is a fundamental human right and further DECLARING that state and local governments have a responsibility to respect and ensure this right on behalf of their citizens.

WHEREAS, survivors of domestic violence experience the effects of physical injuries, long-term psychological damage, financial instability, and trouble finding safe housing; and

WHEREAS, while domestic violence is often marginalized as a private concern, its impact is felt across the entire community as a whole; and

WHEREAS, more than one in three women and more than one in four men in the United States will experience rape, physical violence, and/or stalking by an intimate partner at some point in their lives; and this problem disproportionately impacts women of color, women with disabilities, women with low income, and immigrant women, as well as their children; and

WHEREAS, according to the Rainbow Response Coalition, in 2012, approximately one in three residents of the District of Columbia who identify as Lesbian, Gay, Bisexual, or Transgender (LGBT) have been in an abusive relationship; and

WHEREAS, thirteen individuals died as a result of domestic violence in the District of Columbia in 2011, according to the Metropolitan Police Department; and

WHEREAS, the District of Columbia Office of Attorney General reports that in 2012, a total of 5,478 individuals received assistance at the District’s two Domestic Violence Intake Centers, an average of 22 individuals per day; and

WHEREAS, the Metropolitan Police Department reports that in 2012 the Department received 31,815 domestic-related crime calls—approximately 87 calls each day; and

WHEREAS, the District of Columbia Coalition Against Domestic Violence reports that in 2011, there was a 15% increase in foreign-born individuals and a 26% increase in the number of individuals between the ages of 13 – 17 who received assistance at the District’s two Domestic Violence Intake Centers; and

WHEREAS, local entities such as police departments, providers of medical services, courts, cities, and social service agencies constitute a crucial line of defense against domestic violence and incur significant monetary costs due to domestic violence; and

WHEREAS, world leaders and leaders within the United States recognize that domestic violence is a human rights concern; and

WHEREAS, the 1993 United Nations Declaration on the Elimination of Violence against
Women recognizes the urgent need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity, and dignity of all human beings that are enshrined in international human rights treaties, and urges States to pursue by all appropriate means and without delay a policy of eliminating violence against women; and

WHEREAS, in view of the alarming growth in the number of cases of violence against women throughout the world, the United Nations Commission on Human Rights adopted resolution 1994/45 on March, 4, 1994, appointing a Special Rapporteur on violence against women, including its causes and consequences; and

WHEREAS, the UN Special Rapporteur on violence against women has urged the United States government to reassess its response to domestic violence, stating that “violence against women is the most pervasive human rights violation which continues to challenge every country in the world, and the U.S. is no exception”; and

WHEREAS, in 2011, the Inter-American Commission on Human Rights found in Jessica Lenahan (Gonzales) v. United States that the United States’ failure to protect women from gender-based violence constitutes discrimination and a human rights violation, and urged the United States to enact law and policy reforms to protect victims of domestic violence and their children; and

WHEREAS, by recognizing that domestic violence is a human rights issue, the District of Columbia will raise awareness and enhance domestic violence education in communities, the public and private sectors, and within government agencies; now, therefore,

BE IT RESOLVED by the Council of the District of Columbia:

Section 1. That the District of Columbia joins other cities in the United States and governments around the world by declaring that freedom from domestic violence is a fundamental human right.

Section 2. That the District of Columbia declares that state and local governments bear a responsibility to respect and ensure this human right on behalf of their citizens.

Section 3. That local agencies in the District of Columbia shall incorporate the principles embodied in this resolution into their policies and practices.

Section 4. That a copy of this resolution shall be delivered to the Office of the Mayor, the Metropolitan Police Department, the Office of the Attorney General, the District of Columbia Superior Court, the District of Columbia Court of Appeals, the Office of Victims Services, Department of Human Services, Office of Human Rights, and all other relevant departments.