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Governor Cuomo Signs Legislation Protecting Domestic Violence Survivors and Others in Need of Emergency Assistance

Right to Call 911 will protect NYS domestic violence and others in need of emergency assistance from the impossible choice between safety and eviction.

After years of advocacy from the ACLU Women’s Rights Project, Empire Justice Center, the NYCLU, and the NYS Coalition Against Domestic Violence (NYSCADV), Gov. Cuomo signed the **Right to Call 911** bill (A.2665 Lavine/S.4657 Hoylman) into law, finally bringing New Yorkers protections from overly broad local nuisance ordinances that place housing and safety at risk.

Nuisance ordinances are local laws that label a property a “nuisance” when it is the site of a designated number of emergency calls or the site of alleged nuisance conduct. This includes responses to serious crimes such as assault or instances where residents are in need of emergency medical assistance.

To avoid fines, loss of ability to rent the property and other penalties, landlords must “abate the nuisance.” In practice, this has meant: **evict the tenant**. But research on nuisance ordinances in New York State has shown that enforcement of these ordinances disproportionately impacts **domestic violence survivors, crime victims, communities of color, low-income households, and people with disabilities**, as tenants are forced to choose between losing their housing if they call for help when they need it **or** going without emergency services that could save their lives.

“Too many people in New York and across the country have lost their homes or have been forced to remain silent about violence and abuse because of local nuisance ordinances,” said **Sandra Park**, Senior Staff Attorney at the ACLU Women’s Rights Project. “With the enactment of the Right to Call 911 law, New York ends the devastating use of these ordinances to punish victims of domestic violence, people with disabilities, and other members of our community for seeking help and protection.”

“Residents across New York State, particularly victims of crime and intimate partner violence, should be able to call the police for help without fear that their local laws will then be used to threaten, harm or penalize them,” said **Amy Schwartz-Wallace**, Senior Attorney at Empire Justice Center. “Nuisance ordinances’ directly undermine public safety and confidence in our justice system, and we applaud Governor Cuomo for signing the Right to Call 911 into law.”

“Nobody should be forced to choose between their safety and their housing,” said **Allie Bohm**, policy counsel at the New York Civil Liberties Union. “The new law will ensure that people in New York can call for help when they need it without fear of losing their homes, especially in communities of color and low-income communities where the consequences of nuisance ordinances hit hardest.”

Connie Neal, executive director of the New York State Coalition Against Domestic Violence, said, “Currently, victims have to make the extremely difficult choice of calling 911 or staying in their homes, a choice no one should ever have to make. We applaud Governor Cuomo for signing this bill into law, which will protect domestic violence victims’ rights to call for police and emergency assistance without fear that they will be evicted for seeking such help.”

The Right to Call 911 law will:

- Clarify that survivors of domestic violence or any person who believes that they are in need of police or emergency assistance have the right to call for such assistance ***without direct or indirect penalty or reprisal for doing so***, and prevent any resident or occupant from impeding on that individual’s right to seek police or emergency assistance.
- Ensure that when municipalities seek to enforce local nuisance ordinances, they must provide notice and give both the landlord and tenant an opportunity to contest.
- Provide that municipalities cannot impose penalties on a property owner or tenant on the basis of a residential occupant’s exercise of their right to seek or utilize police or emergency aid, and prohibit landlords from taking negative housing actions against individuals for this protected conduct.
- Authorize tenants and landlords to bring suit for damages, costs, attorneys’ fees, and other relief when local nuisance ordinances are enforced against them in violation of the Right to Call 911 law.
- Give landlords tools to remove a domestic violence abuser from a property without having to evict the survivor.

In other words, the Right to Call 911 will help ensure that New Yorkers are able to call for police and emergency assistance without having to make the impossible choice: your safety or your home.