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COURT APPROVES USE OF ELECTRONIC SIGNATURE
OF VICTIM IN DOMESTIC VIOLENCE CASE

Decision Hailed By Prosecutors and Domestic Violence Advocates

Queens District Attorney Richard A. Brown, joined by New York City Mayor's Office to Combat Domestic Violence Commissioner Rosemonde Pierre-Louis, today announced that in a case of first impression a Queens Criminal Court Judge has ruled that having victims of domestic violence sign documents electronically will eliminate the need for the victims to both travel around the City to sign documents via pen and will also allow victims to sign the documents they need before their batterers are released from jail and attempt to contact them.

District Attorney Brown said, "This application by the Queens District Attorney's office and the Court's decision to allow documents signed electronically by domestic violence victims will revolutionize the way that we prosecute domestic violence cases and will enhance our ability to convict more batterers, get the required orders of protections in place, seek appropriate bail and keep victims of domestic violence safer."

The District Attorney continued, "Today's decision is a significant victory for victims of domestic violence, one of the most primitive and savage crimes that sadly still exists in our society. As advances in technology continually make it easier for prosecutors to bring batterers to justice, today's ruling makes it that much easier for domestic violence victims to get justice as well."

Commissioner Pierre-Louis said, "This is a landmark decision that will transform and modernize the prosecution of domestic violence cases in New York City. I applaud District Attorney Brown and the Queens District Attorney's Domestic Violence Bureau for advocating tremendously to streamline access to the criminal justice system by providing victims with a new option to safely and quickly participate in the criminal case and hold their offender accountable."

In the case against Gustalvo Perez Sanchez, Judge Deborah Stevens Modica, the Supervising Judge of the Criminal Court in Queens County, held that the Court could accept the electronic signature of a complaining witness in lieu of a handwritten signature on a supporting deposition. In her ruling, Judge Modica stated, "To assert that the everyday use of technology in business transactions, government filings, test taking, school transactions, etc. cannot be applied to court documents without specific legislative authorization fails to recognize that such usage is simply no longer novel."

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In the instant case, defendant Gustalvo Perez Sanchez, 26, of Yonkers, New York, was arraigned in Queens Criminal Court on June 14, 2014, on a criminal complaint, charging third-degree assault and second-degree harassment. According to the complaint, during a discussion between Sanchez and his wife while inside 147-15 Northern Boulevard on the evening of June 12, 2014, Sanchez threatened to take their son to Mexico and a verbal argument ensued during which Sanchez grabbed his wife by the wrist and, lifting his leg, pressed his knee hard against her chest and neck area and struck her in the forehead with a closed fist. It is alleged that Sanchez caused his wife to suffer substantial pain, redness, swelling and bruising to her forehead, wrist, leg and chest area.

The District Attorney's Domestic Violence Bureau, which is under the leadership of Bureau Chief Scott E. Kessler and prosecutes approximately 6,000 cases per year, has become a national leader in the successful use of "evidence-based prosecutions" – prosecutions which do not require the victim's trial testimony but are supported, instead, by a host of other evidence including medical evidence, 911 tapes, police and witness observations, defendant admissions and cell site information. Over the years, the District Attorney's Domestic Violence Bureau has pioneered a series of innovative initiatives to build what is one of – if not the – most effective domestic violence prosecution bureaus in New York State and one that is nationally recognized for its aggressive and innovative prosecution of domestic violence cases.

District Attorney Brown noted, "Statistics show that one in four women will experience domestic violence in her lifetime and more than three million children witness domestic violence in their homes every year. If you are a victim of domestic violence or know someone that is I urge you to report it before it is too late. The 24-hour domestic violence hotline number is 1-800-621-HOPE.

It should be noted that a complaint is merely an accusation and that a defendant is presumed innocent until proven guilty.

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Note to Editors: E-version of this press release posted at www.queensda.org.