

Center for American Progress



Ensuring Domestic Violence Survivors' Safety

The Need for Enhanced Structural Supports During and After the Coronavirus Pandemic

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Introduction and summary

As the United States continues to grapple with the devastating fallout of the coronavirus pandemic—from deaths, job loss, evictions, and so much more—there has also been a surge of domestic violence (DV).¹ Stay-at-home orders essential to slowing the spread of the virus, coupled with the economic and health stressors caused by the pandemic, have forced DV survivors already at risk of domestic abuse into even more vulnerable and dangerous positions. While the piecemeal nature of data reporting by states and localities makes it difficult to paint an accurate picture of the prevalence and severity of DV overall—especially during this pandemic—available fragmented data from counties across the country indicate that almost every state has reported increases in DV.² In addition, other countries’ experiences—where rates of DV have also skyrocketed, by nearly 300 percent in some nations—may be illuminating, according to similarly fragmented data from February and March.³ Even more concerning is that the initial increases in reports of DV in the United States were often followed by a significant dip in reporting, indicating that many survivors facing the threat of continued or escalating violence were unable to find space or time away from an abuser to reach out for help, or else saw no hope or available solutions.⁴ Reported spikes in gun purchases are also disturbing given the fact that the presence of a gun in a household with a history of DV makes it five times more likely that a woman will be killed.⁵ Months into the pandemic, media attention on the shadow crisis of DV has waned—but the needs of survivors have not.

As noted above, the data about incidents of DV not only are limited, but they also have not been uniformly disaggregated—by sex, gender, race, or any other factor—if at all. However, based on data from natural disasters, the Great Recession, and other major events that share similarities with the current pandemic, it is almost certain that women, particularly Native women, undocumented immigrant women, and other women of color, as well as LGBTQ people and disabled people, are continuing to experience higher rates of DV compared with the general population.⁶

The current crisis of DV shines a spotlight on the overriding inadequacies of the very systems intended to support survivors and to prevent or mitigate DV itself. An improved system of survivor supports would:

- Ensure DV programs and shelters receive sufficient funding and are deemed essential businesses during the pandemic and any future crises.
- Improve access to comprehensive paid family and medical leave and paid sick leave; child care; and unemployment insurance if a survivor needs to leave a job for an extended period or loses a job.
- Prioritize improvements to existing laws, including the reauthorization of the Violence Against Women Act (VAWA) and legislative fixes to the Victims of Crime Act (VOCA)

When effectively implemented and strongly backed, a robust support infrastructure helps to ensure a survivor's safety, health, and economic security. As the country contends with the negative economic and health effects of the pandemic, simply pushing to reopen states is not the catchall solution—for survivors or the public in general. Not only is the coronavirus pandemic still a very real threat that could require future lockdowns to control the spread of the virus, but reopening the economy in an effort to return to business as usual will do little to address the DV crisis. In fact, business as usual has long been inadequate for survivors, even before this pandemic. It is critical that bold structural solutions to address the DV crisis and prevent future violence be developed, both as an immediate concern and as a means to improve support structures for survivors into the future.⁷

Strengthening the survivor support infrastructure

Much of the progress made to address the needs of DV survivors over the past 25 years has focused on building a network of national, state, and local programs and services intended to prevent, mitigate, and respond to incidents of DV. This informal infrastructure—made up of elements such as crisis hotlines, shelters, DV programs, and state, local, and tribal law enforcement—has been bolstered by a series of groundbreaking laws such as VAWA, which first passed in 1994 and was reauthorized in 2000, 2005, and 2013.⁸ VAWA was, in part, a response to the inadequate protections available to survivors and lapses in law enforcement that too often failed to address the needs of survivors or take complaints seriously. Over the years, VAWA has strengthened accountability for perpetrators of DV and other forms of gender-based violence; created numerous service programs, such as hotlines and housing programs, designed to mitigate experiences of violence; authorized grants to law enforcement around the country; and more.⁹ Many of these improvements have been, and remain, crucial, underscoring the importance of the reauthorization of VAWA.

However, VAWA is just one component of a much-needed broader continuum of care and safety that prioritizes the needs of survivors; this includes considering the differing experiences of survivors across communities and building solutions that are culturally competent. The interventions needed to create a robust infrastructure of support must center the experiences of survivors throughout the healing process. Support infrastructure must feature interventions that adopt strong prevention measures to disrupt violence in its earliest forms; minimize economic barriers to services and overall economic costs on survivors; create strong support systems focused on health and safety; tackle the root causes of violence; and build a network of trained professionals to assist survivors along the way and stop illegal and toxic behavior. An infrastructure that is understood to respond only after an incident has occurred, rather than one focused on building a reliable care and safety network, is an infrastructure that fails survivors.

Support in the time of COVID-19

State and local officials have failed to clearly communicate available protections for survivors and to recognize that survivors' needs have not disappeared in the face of this pandemic. Of stay-at-home orders issued between March 12 and May 12, 2020, only 17 states explicitly listed DV survivors or others seeking safety as people or activities exempt from stay-at-home orders.¹⁰ In addition, the federal guidance on essential infrastructure that many states rely upon does not clearly indicate that essential businesses include DV supports such as shelters and other DV programs. Only five states—Colorado, Minnesota, North Carolina, Illinois, and Indiana—exceeded this guidance by explicitly listing DV shelters, and thereby these workers, as essential in state guidance.¹¹ Doing so both clarified protections available to survivors and communicated that state and local officials recognize survivors' ongoing needs during this pandemic.

It is critical to address gaps in the infrastructure of survivor supports laid bare by the coronavirus pandemic to ensure a sound base of support for survivors at all times as well as to identify what additional supports might be needed during future emergencies. For example, in response to significant increases in call volume to the state-run DV hotline, New York expanded the service from exclusively phone calls to text communication as well as a secure chat online on a state-run website.¹² Expansion efforts such as New York's are important to encouraging wider accessibility to existing supports; however, lawmakers must ensure that the broader infrastructure of survivor supports also addresses the health and economic needs of survivors as integral to their safety and well-being. Furthermore, efforts that do not center survivors may further endanger them, perpetuating abuse and economic insecurity as well as a lack of adequate health coverage.

The relationship between DV and economic insecurity

Economic security is an important bulwark against DV, helping to ensure that survivors, particularly women, have the financial resources that they need to escape an abusive partner or to seek help. Women, however, generally have a poorer economic standing in this country when compared with men—a reality made worse by the pandemic—putting them at greater risk for abuse and violence.¹³ Research indicates that lower-income women are more likely to experience intimate partner violence, with economic stressors likely being a key contributing factor.¹⁴ In addition, women experience lost productivity and earnings over their lifetimes as a result of DV, losing almost 8 million days of paid work every year and putting them at greater risk for continued violence due to financial dependency on their partners.¹⁵ These facts contribute to the cyclical relationship between economic insecurity and DV, both disproportionately affecting lower-income women and worsening women’s economic standing.

Today, women are still more likely than men to work in jobs with lower wages¹⁶ and fewer benefits,¹⁷ and many of these jobs have been deemed essential during this pandemic. But more often than not, these jobs fail to offer the additional economic support, such as hazard or premium pay, that workers deserve and may need during an emergency situation.¹⁸ Furthermore, women overall have less wealth than men, with the wealth gap being much larger for women of color.¹⁹ Wealth and savings are critical for survivors seeking independence and safety: One study found that 75 percent of women in DV shelters reported that they had stayed with an abuser longer due to financial concerns, and in the midst of a historic recession with record unemployment, it is likely that this finding tracks closely with the current reality.²⁰ This is all further exacerbated by pandemic-related challenges such as increased loss in housing and a breakdown in social services, which can force women to remain with abusers or drain their savings to procure housing and other needed resources.²¹

During this pandemic, Latinas and Black women have both faced some of the highest levels of as well as spikes in unemployment of any racial groups.²² Between February and July 2020, unemployment rates for Latinas and Black women jumped from 4.9 percent to 14 percent and 4.8 percent to 13.5 percent, respectively, compared with unemployment rates for white women during the same period, which rose from 2.8 percent to 9.8 percent.²³ At the same time, Latinas and Black women are more likely to be the family breadwinner.²⁴ As a consequence, the economic stressors of COVID-19 risk worsening the abusive environments and relationships that may have existed for survivors even before the pandemic. Unemployment among breadwinners may lead to not only short-term financial strife, including the inability to pay rent and put food on the table, but also devastating long-term financial consequences for these women and their families, such as going into debt and remaining in abusive households. These economic challenges are also faced by other survivor groups, including LGBTQ people and people with disabilities, in part due to wage gaps, unemployment rates, and poverty rates influenced by the unique negative effects of bias and intersectional discrimination on the basis of gender identity, sexual orientation, disability status, and other factors.²⁵ Thus, access to programs such as unemployment insurance is an essential safety net for all workers but particularly for survivors, whose lack of financial resources could be immediately life-threatening.

Moreover, abusers may perpetuate their partner's economic insecurity as a mechanism for control. This practice—known as economic or financial abuse—involves situations in which an abuser controls or limits a survivor's financial independence, ability to work, or access to economic resources, including by stealing or withholding a survivor's money or forcing nonconsensual, credit-related transactions.²⁶ During this pandemic, financial abuse may involve an abuser withholding government-issued money—for example, the recently issued stimulus checks—especially if those payments were issued to both parties based on a jointly filed tax return. Economic abuse by a partner is a common issue faced by people with disabilities, who may depend on their partner for financial management or support in accessing banking or financial services.²⁷

Additional economic and health effects of DV on survivors during the coronavirus pandemic

The need to remain at home and practice social distancing to slow the spread of COVID-19, as well as historically high rates of unemployment, has exacerbated rates and experiences of DV, putting survivors at further risk of both violence and economic insecurity.²⁸ Existing supports such as DV programs and shelters that can otherwise improve survivors' economic outcomes may themselves lack requisite funding in this moment, leading to some shelters limiting their maximum capacity or reducing their services.²⁹ Some states, including California, Illinois, and New Hampshire, have undertaken essential, progressive efforts to significantly fund DV programs and shelters. These efforts include specifying that DV crisis center funding can be used to provide direct financial support to survivors; increasing funding to state coalitions and service providers; and offering free accommodations and transportation to survivors, among other things.³⁰ As an important first step on the federal level, the Coronavirus Aid, Relief, and Economic Security (CARES) Act included \$45 million for DV services funded through the Family Violence Prevention and Services Act and \$2 million to further fund the National Domestic Violence Hotline.³¹

However, existing DV programs and shelters must receive even more funding to ensure that they can remain operational and safe, with access to any necessary protective equipment, particularly in times of crisis such as the ongoing pandemic. Funding must go beyond the amount allocated in the CARES Act for Family Violence Prevention and Services Act programs to provide additional resources to U.S. Department of Justice-administered and U.S. Department of Health and Human Services-administered programs, including enhanced for funding Sexual Assault Services Program formula grants, transitional housing programs, and culturally specific programs—all of which are essential to begin to remedy economic insecurity among survivors.³² Another important priority of domestic violence and sexual assault survivor advocates is to pass a legislative fix to VOCA that would increase deposits to the Crime Victims Fund and thus help to prevent further cuts to victims' services, such as counseling and assistance with medical bills.³³ In addition, as noted earlier, VAWA must be reauthorized and expanded to ensure that survivors can continue to access many of the aforementioned lifesaving programs and services as well as benefit from essential new provisions such as restricting gun ownership and possession for dating partners convicted of misdemeanor crimes of domestic abuse or misdemeanor stalking of an intimate partner.³⁴ In April, New York passed its state budget, which included measures to keep guns out of the hands of domestic

abusers. However, survivors remain at increased risk of DV and related gun violence in the absence of federal legislation.³⁵ The Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act, passed by the U.S. House of Representatives on May 15, 2020, includes additional funding for survivor services that would allow shelters and programs to continue providing services, such as transitional housing assistance and legal assistance to survivors. It also specifically prohibits sexual orientation and gender identity discrimination in federally funded COVID-19 responses.³⁶ The provisions in the HEROES Act recognize the urgent need for survivor supports; however, additional investments from Congress will be required to fully address survivors' needs during this ongoing crisis.

Survivors need access to comprehensive paid leave and affordable child care

The widespread lack of access to different forms of paid leave means that many survivors may face a choice between their health and their paychecks. Without access to paid sick leave—which can include paid safe days for purposes related to sexual or domestic violence—or paid family and medical leave, survivors may be forced to take unpaid time off to care for themselves, a loved one, or even an abuser, if they contract COVID-19.³⁷ And survivors without access to paid safe days may be forced to utilize other types of paid leave—or lose out on a paycheck if paid leave is unavailable—to seek essential services, recover from injuries sustained by abuse, or find safety. This year, Colorado and New York state joined 10 other states, Washington, D.C., and many localities by mandating that employers of a certain size provide their employees with paid sick leave, which survivors can use to seek services related to gender-based violence.³⁸ In a related move, Gov. Andy Beshear (D-KY) issued an executive order extending temporary disability payments to workers at DV shelters who are exposed to COVID-19, signaling an effort to better value the essential role of DV shelter workers in helping survivors during and beyond the current pandemic.³⁹

The current crisis has also exacerbated the lack of quality affordable child care in the United States, meaning parents, and in this case survivors, may forego paid work in order to care for children whose schools and child care centers are closed during this crisis. For survivors, this means potentially increasing children's exposure to unsafe environments where they may witness or experience violence firsthand.⁴⁰

In addition, rampant job loss has resulted in a loss of employer-sponsored health insurance, which cuts off many people's access to critical health services. Without access to their employer-sponsored health insurance plans, workers, including those who are also survivors, might be forced to forego a myriad of medical services, including testing and treatment for sexually transmitted infections, contraceptive supplies, services to prevent unintended pregnancies, and abortion services.

Potential complications of COVID-19 for survivors

The long-term effects of COVID-19 on those who contract the virus are as yet undetermined, but it is evident that a percentage of DV survivors who contract and recover from the virus will likely be left with long-term disabilities or chronic illnesses. To date, there have been reports of respiratory and cardiac issues, paralysis, organ failure, and potential amputations.⁴¹ An increase in the number of people with disabilities—acquired as a result of COVID-19 and/or DV—could have a major impact on the social safety net due to a greater need for lifesaving health and economic supports. In terms of the impact on services and supports for those specifically experiencing DV, there must be efforts and increased funding to ensure both physical and programmatic accessibility for all survivors.

Recommendations

In order to address the rise in DV across the country, as well as the inadequate support structures discussed above that are meant to otherwise prevent or mitigate the impact of such violence, the Center for American Progress offers the following recommendations to help ensure survivors' safety and economic security:

- **Both federal and state policymakers must ensure that critical DV programs, shelters, housing programs, and other social programs essential to survivor safety and economic security receive adequate funding, in response to both the coronavirus pandemic and beyond.** Many leaders and advocates in the DV movement have called for increased funding, beyond that allocated in the CARES Act for Family Violence Prevention and Services Act programs, to provide an additional \$100 million for sexual assault formula grants, \$225 million for the STOP formula grant, and \$40 million for transitional housing through U.S. Department of Justice-administered programs.⁴² The HEROES Act, which proposes additional funding and support for VAWA and Family Violence Prevention and Services Act grants and programs, is a vital step in the right direction. Congress should build upon this and further prioritize funding for these and other community-based programs that are best equipped to ensure survivor safety and economic security. At a minimum, increased funding will help these programs acquire personal protective equipment and other essential resources necessary to maintain both in-person and, where appropriate, digital operations, helping to ensure the longevity, accessibility, and effectiveness of these programs.
- **Federal policymakers must reauthorize and expand VAWA.** VAWA helps fund DV programs, services, and shelters across the country and must be renewed to ensure that survivors can continue to access these lifesaving supports during and beyond the current pandemic. In addition, the bipartisan House-passed version, which has stalled in the Senate, includes several essential and much-needed improvements—including housing and economic protections—and a provision to close the so-called boyfriend loophole by making it illegal for a current or former dating partner convicted of abuse or stalking charges to own a gun and prohibiting

abusers from purchasing or possessing guns while under temporary protective orders. Such a provision is essential to securing survivor safety overall, but is particularly important in light of spikes in gun purchases that have occurred since the start of the pandemic.

- **Policymakers must ensure access to paid sick and safe leave and paid family and medical leave, which are critical to the health and economic security of survivors.** For survivors who need to take time off to seek help, medical attention, or counseling; move to a shelter; make safety plans; attend court proceedings; or pursue other necessities, access to paid safe leave can be a lifeline. Survivors, like all workers, must have access to comprehensive paid leave in order to address illness caused or exacerbated by the coronavirus, to remain in quarantine without fear of losing employment, or to care for a loved one. Because survivors need paid leave in order to access vital support services, it is crucial to expand upon the emergency paid sick leave provisions included in the coronavirus relief packages already signed into law to include paid time off to address sexual or domestic violence—sometimes referred to as paid safe days. Congress must pass the Providing Americans Insured Days of Leave (PAID Leave) Act of 2020 to make these expansions to the emergency paid leave provisions and to create permanent, national paid sick leave and paid family and medical leave laws, which include safe time for survivors.⁴³
- **Congress must ensure access to reliable and affordable child care, which is critical to the economic security of survivors.** To remain afloat and avoid a massive decline in child care supply, the child care industry needs a significant influx of federal funding. Congress must pass the Child Care Is Essential Act to address the immediate needs of child care providers and parents, including survivors with children.⁴⁴ To ensure that survivors with children—and all parents—have widespread access to affordable child care beyond the current pandemic, Congress must also pass the Child Care for Working Families Act.⁴⁵
- **Policymakers must ensure access to unemployment insurance for survivors who have lost their jobs due to pandemic-related layoffs or who have been forced to leave a job due to violence.** Unemployment insurance offers a level of economic security to survivors that reduces their vulnerability to DV and helps them to leave an abusive relationship or household. In addition to expanding coverage by making safety concerns a qualifying reason, lawmakers must ensure that unemployment insurance benefits are available to all eligible workers, despite capacity issues in state programs. They must also expand benefits to include workers traditionally excluded from access, such as those who do not earn enough to qualify and gig workers in some states.

- **Congress must pass a legislative fix to VOCA to ensure sufficient funding to meet survivors' needs.** Survivors can rely on VOCA's Crime Victims Fund in the aftermath of a crime for both direct and indirect financial support. This financial support can, for example, help to provide access to counseling services as well as cover the cost of medical bills.⁴⁶ To ensure sufficient funding levels, it is essential that Congress pass a legislative fix to address declining funds to the Crime Victims Fund.⁴⁷
- **Federal guidance must formally include shelters and other gender-based-violence-related programs among the entities and businesses deemed essential during the pandemic.** Shelters offer a critical protection to women who seek to leave abusive environments but, because of unclear stay-at-home orders, are unsure of available resources or are otherwise having difficulty relocating during the pandemic. In addition to deeming shelters and other DV programs as essential, state officials must include explicit exemptions for survivors to relocate—for example, by explicitly classifying survivor relocation as essential travel—in official state stay-at-home orders.

Finally, survivor supports—and efforts to improve or expand them—must be fully accessible to all survivors. Given that survivors represent all gender identities and sexual orientations—and that LGBTQ people face disproportionately high rates of intimate partner violence⁴⁸—it is critical to ensure that DV programs and support services are free of discrimination. Transgender survivors are regularly denied homeless shelter services based on their gender identity or transgender status.⁴⁹ In June 2020, the Trump administration proposed a harmful U.S. Housing and Urban Development Department rule that would further undermine access to safe shelter for transgender women—a move that runs contrary to the Fair Housing Act.⁵⁰ Importantly, while VAWA enshrines critical nondiscrimination protections and requires DV programs to be accessible, Congress must pass the Equality Act in order to help to ensure that LGTBQ people and women are protected from discrimination in non-VAWA-funded shelters and other federally funded programs.

Conclusion

This pandemic—and the attention it has brought to the scourge of DV—has underscored the critical need for the United States to reshape the ways in which it responds to incidents of DV. The existing infrastructure of survivor supports is widespread but significantly under-resourced and undervalued. Efforts to ensure the health, safety, and economic security of survivors during the current crisis must be designed to improve the existing infrastructure of survivor supports beyond solely this moment.

In addition to strengthening the existing support infrastructure to include protections for survivors against economic insecurity, there is a critical need to look beyond these traditional support systems—which have proven inadequate in addressing the real and multifaceted needs of survivors, during the pandemic and otherwise. This nation must embrace a commitment to a structural transformation of survivor supports—an effort that will require increased funding for support services and efforts to improve economic security and health in order to keep survivors of DV physically, psychologically, and economically safe.

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Acknowledgements

The authors would like to thank the following people for their contributions to this brief: Shilpa Phadke, Jocelyn Frye, Rebecca Cokley, Sharita Gruberg, Diana Boesch, and Eugenio Weigend from the Center for American Progress. A special thanks to Monica McLaughlin from the National Network to End Domestic Violence as well as Judy Conti and Michele Evermore from the National Employment Law Project.

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