



REMARKS OF

COMMISSIONER CECILE NOEL  
MAYOR'S OFFICE TO END DOMESTIC AND GENDER-BASED VIOLENCE

BEFORE THE NEW YORK CITY COUNCIL  
COMMITTEE ON WOMEN AND GENDER EQUITY AND COMMITTEE ON CIVIL AND  
HUMAN RIGHTS

on

**"Oversight: Coerced Debt"**

December 12, 2022

Good afternoon Chair Cabán, Chair Williams, and Members of the Committee on Women and Gender Equity and Committee on Civil and Human Rights. I am Cecile Noel, Commissioner of the Mayor's Office to End Domestic and Gender-Based Violence (ENDGBV). I am joined by Jennifer DeCarli, ENDGBV's Deputy Commissioner of Family Justice Centers and Community Outreach. Thank you for the opportunity to speak with you about the impact of coerced debt and economic abuse on survivors of domestic and gender-based violence.

ENDGBV partners with numerous City agencies and over 100 non-profit providers and community stakeholders to implement innovative initiatives – like the NYC Family Justice Centers. Our agency directly manages a contract portfolio of prevention and intervention programming, builds capacity for agency staff and community members to identify and respond to domestic and gender-based violence (DV/GBV) through outreach and training, and develops policies and best practices to strengthen the City's approaches to these issues. We collaborate with City agencies, community stakeholders, and people with lived experience to reduce barriers and ensure access to inclusive services for survivors of DV/GBV. This includes services to address economic abuses and coerced debt.

We know economic abuses like coerced debt can occur in conjunction with other forms of gender-based violence or on their own. And we know that, like all

forms of domestic violence, coerced debt can impact people of all genders, sexual identities, races, and ethnicities in our city. However, marginalized survivors – like immigrant populations, older adults, and migrant workers – are particularly vulnerable to financial abuses due to lack of language access, lack of social supports, misunderstood cultural norms, fear of immigration or criminal legal systems, and exploitative labor practices. No matter the survivor, the short- and long-term impacts of economic abuse on survivors and their loved ones can be debilitating.

### **Family Justice Centers**

At the City's Family Justice Centers (FJCs), ENDGBV and its contracted providers provide culturally competent, trauma-informed services and referrals that can address the cascading consequences of economic abuse, including coerced debt. The FJCs are in each borough and deliver services through over 40 nonprofit partners. Onsite services at the FJCs include civil and criminal legal advocacy, case management, mental health counseling, onsite childcare and therapeutic children and youth services, housing and shelter advocacy, economic justice services, concrete supports, and additional supportive programming. All partner staff who work with clients onsite at our FJCs receive training about economic abuse and consumer law, and we have onsite and offsite partners at

the FJCs who provide services in response to economic abuses. These services include financial literacy classes, financial counseling, civil legal assistance, and housing assistance to help survivors address the impacts of coerced debt.

### Financial Assistance

Survivors may come to our FJCs without access to financial supports. An abusive partner may be withholding resources from a survivor, may have transferred resources away from a survivor, may have taken out debt in the survivor's name leaving them with a civil judgment against them, or may have placed a survivor in a position where their credit and sometimes even their children's credit has been severely compromised. This economic abuse can have devastating impacts on a survivor as they seek safe, stable housing and employment.

Our FJCs can address some of survivors' immediate economic needs by offering concrete assistance like metrocards, food from our pantries, clothing from our community closet, baby supplies, and petty cash. Even though in-person visits to the FJCs are lower due to the ongoing impact of COVID-19 and the FJCs' resulting hybrid model, FJC partners have provided **837** clients with concrete supports from January to November 2022. We also have an HRA liaison and

community partners onsite who can support survivors with applying for cash assistance, SNAP benefits, and medical benefits.

For survivors who seek support addressing the negative impact of economic abuse and need support finding long-term financial stability, our FJCs provide economic empowerment services ranging from financial literacy classes, assistance seeking employment, entrepreneurship programming, individual financial counseling that includes addressing the negative impact of coerced debt on survivors' credit reports, referrals to consumer law attorneys to address coerced debt issues, and computer readiness classes. From January through November 2022, our FJCs provided **667** clients with economic empowerment services.

We are excited to share that we recently released an RFP through MOCS for front line reception and client navigation services, intensive case management, and children/youth services. Within this RFP, we provided funding for one case manager at each center who will be specifically dedicated to supporting clients to become economically independent including by addressing the negative consequences that economic abuse and coerced debt have had on their lives.

Following the release of Mayor Adams's 2022 Housing Blueprint and the enactment of Council Member Caban's housing stability program bill, we are also

developing a program to provide survivors of domestic and gender-based violence with flexible funding for housing-related expenses. We hope this program will address some of the financial hardships survivors face due to coerced debt and related economic abuses.

### Civil Legal Services

In addition to financial and economic empowerment services, our civil legal partners at the FJCs can support survivors to request a family court order of protection to protect themselves from further economic abuse and to hold their abusers accountable for coercion, larceny, or identity theft. Our civil legal service providers can also represent survivors in divorce proceedings to address marital debt or financial coercion that occurred during or after a marriage. The FJCs also have partnerships with consumer law legal service providers who can help survivors navigate responses to identity theft, consumer debt, and fraud issues.

### Housing Assistance

Our FJCs provide significant support to survivors seeking safe, stable housing by helping survivors apply for the City's current housing options available for those fleeing domestic and gender-based violence. Support can include connecting survivors to HUD-funded rapid rehousing programs such as New Destiny's HousingLink program. The HousingLink program is onsite at each of our

five FJC's and provides a continuum of services to link survivors to affordable housing. Additional FJC services include housing readiness workshops and individual counseling to address barriers to permanent housing such as coerced debt and economic abuse. FJCs also support clients who choose to participate in the criminal justice process with their applications for the DA/NYPD Section 8 program, and help eligible survivors apply for a FHEPS B rental subsidy through HRA.

#### Connection to Law Enforcement

Onsite partners at the FJCs also include one specially trained Domestic Violence Police Officer and District Attorneys from that borough's domestic violence or gender-based violence bureau. At the request of a survivor, partner agency staff at our FJCs will connect a survivor to a Domestic Violence Police Officer to discuss the possibility of filing a police report about economic abuse, including coercion. Some FJC clients are participating in the criminal justice process and have ongoing cases that they are working on with the district attorney's office. If these clients disclose an economic abuse, such as coerced debt, and want the assistant district attorney assigned to their case to know about it, our FJC partner agency staff will also facilitate that connection.

#### Training and Outreach

In addition to our Family Justice Centers, ENDGBV conducts trainings for New York City agencies and nonprofit organizations and conducts outreach to communities to spread awareness about all forms of domestic and gender-based violence, including economic abuse. From January through November 2022, our outreach team has conducted **209** community events and **142** community meetings and presentations.

### **Conclusion**

We look forward to continuing to collaborate with the Council, our sister City agencies and our aligned community-based partners to better meet the economic justice needs of survivors. Thank you for the opportunity to appear here today. I welcome any questions you may have.





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**Testimony for City Council Hearing convened by  
The Committee on Women and Gender Equity Jointly with  
the Committee on Civil and Human Rights re. INT 148**

**Dec. 12, 2022.**

**From Aditi Bhattacharya, NYC Anti Violence Project (AVP)**

Good afternoon, Committee on Civil and Human Rights Chair Williams and Committee on Women and Gender Equity Chair Caban, and Council Members present at this hearing. My name is Aditi Bhattacharya. I am the Deputy Director of Client Services at the New York City Anti-Violence Project (AVP) and co-chair the Domestic Violence and Economic Justice Taskforce. I am here to uplift the voices of AVP's clients and the larger LGBTQ+ community of survivors of Intimate Partner Violence (IPV) in New York City.

The New York City Anti-Violence Project (AVP) empowers lesbian, gay, bisexual, transgender, queer, and HIV-affected communities and allies to end all forms of violence through organizing and education, and supports survivors through counseling and advocacy. AVP envisions a world in which all LGBTQ and HIV-affected people are safe, respected, and live free from violence. AVP is the largest LGBTQ-specific anti-violence program in the country and reaches over 21,000 people annually through comprehensive programming both in-person and online.

AVP was founded 42 years ago in New York City by community activists when the police and city officials refused to respond to hate violence against the LGBTQ community. Survivors and their allies took to the streets to advocate for themselves and decided to support one another when they realized that no one would step in to help. This legacy is alive and well at AVP, reflected in the unique approach of delivering critical direct services such as counseling and legal support, as well as advancing a vision for visibility and transformative justice across the country.

AVP has remained a relevant, responsive, and culturally competent advocate for LGBTQ survivors through its distinct approach, which is an anti-oppressive, survivor-centered, and trauma-informed, breaking cycles of violence from the individual to the systemic level. AVP centers the knowledge and skills of LGBTQ and HIV-affected survivors to push the mainstream center toward positive change. AVP brings this perspective to mainstream domestic violence entities; LGBTQ groups that have not prioritized issues of violence; and to movements against police violence and for immigrant rights.

Today, AVP empowers LGBTQ and HIV-affected communities and allies to end all forms of violence through organizing, education, and supporting survivors through counseling and advocacy.

2022 was one of the deadliest years on record for the LGBTQ community. Instances of hate violence, increases in family violence and a host of anti-trans bills shook the community as the pandemic raged on. LGBTQ New Yorkers felt particularly targeted as empty parts of the city, including subways and the outer boroughs, became dangerous places to be oneself. Survivors of violence live not just through the trauma of one or many events, they must also deal with the social and monetary costs of how the violence has impacted their lives, frequently needing more than counseling and medical care, but also economic support and training, skill building, long-term community building and avenues to rebuild a sense of self.

AVP has seen that there is an economic cost to experiencing violence and that economic instability increases vulnerability to violence and feelings of shame and isolation. The violence LGBTQ+ people experience is directly tied to loss of income, housing, and sense of financial stability. Across the board at AVP, clients are experiencing increased and complicated trauma histories and multiple experiences of violence; deeper emotional needs; complicated financial challenges; intersecting identities that put them at greater risk for violence and mental health issues (due to race, gender identity, sexuality, immigration status, ability, etc.); and more, leading to the need for expanded AVP services, specifically AVP's Economic Empowerment Programs (EEP).

EEP serves clients one-on-one on a range of issues including budgeting, credit counseling, tax preparation assistance, and building resumes and cover letters. The program also offers workshops including Taming Your Taxes; Intimate Partner Violence and Economic Violence; and Trauma-Informed Support for Workplace Harassment. In 2021, EEP served over 400 community members and hosted 6 specialized events. Of note, EEP works with underserved LGBTQ survivors, with on average 19% of clients identifying as TGNC and 60% people of color. In EEP, 75% of participants who disclosed their income status were surviving off less than \$30,000 per year<sup>1</sup>. Of those, 56% were surviving off less than \$10,000 per year. In 2021, EEP served over 200 community members and hosted 6 specialized events.

AVP lauds CM Brannan and the Committee on Civil and Human Rights for championing Intro 148. Highlighting Economic Violence as a concrete form of IPV will bring needed attention to expand supports to survivors.

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<sup>1</sup> From the chapter "Employment Education and Income" in "INDIVIDUAL STRUGGLES WIDESPREAD INJUSTICE Trans and Gender Non-Conforming Peoples' Experiences of Systemic Employment Discrimination in New York City, A. Ray, L. Sevilla and T. Inzuna, 2018; [https://avp.org/wp-content/uploads/2018/12/AVP\\_EmploymentDiscrimination.pdf](https://avp.org/wp-content/uploads/2018/12/AVP_EmploymentDiscrimination.pdf)

Economic Violence exacerbates the already pernicious barriers that LGBTQ+ survivors of IPV face, which include disproportionate levels of employment and housing discrimination, and elevated risk for homelessness. Too many LGBTQ+ people don't have the fundamental safety nets many take for granted: family, elders and spiritual community. This obliterates economic safety nets for them to access healthcare, education and career safety. This in turn leaves them disproportionately dependent on the gig and gray market economy where the protections are thin, the scope for abuse high, and income and survival security extremely low. Many clients have to depend on strategies like survival sex just to stay afloat. And many are systemically punished, harmed and arrested for staying afloat how they can.

LGBTQ+ persons are uniquely vulnerable to terrible economic abuse. Abusers control credit, rack on debt, commit identity theft and police the survivors' ability to access healthcare, while reminding them that they are abjectly alone.... because it is often true. This coerced debt cancels their ability to have and hold secure housing, drives our clients to street homelessness because they cannot apply for benefits with bad credit or access safe shelter where they will not experience homophobic and transphobic violence and systemic apathy.

AVP asks that:

One: Council passes Intro 148 and invests in the Support Survivors Bill so landlords stop gatekeeping survivors with vouchers to access safe housing.

Two: Council reviews the recommendations in the Reinvesting in Economic Justice Report for New York City - and move legislation to ban credit checks on survivor's access to safe and affordable housing.

Three: That Council pass legislation similar to A.8619A / S.7573 State Legislation on Fair Access to Victim Compensation - that gives service providers the same authority as an NYPD report to identify an economic violence survivor so they access City benefits and supports.

On behalf of AVP and the LGBTQ and HIV-affected survivors we serve and support, I thank you for your attention to this essential issue, and your commitment to building economic safety for all survivors of intimate partner violence.

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**Committee on Women and Gender Equality and Committee on Civil and Human Rights**

**Joint Hearing – Oversight: Coerced Debt**

December 12, 2022

Written Testimony of CAMBA Legal Services, Inc.

CAMBA Legal Services thanks the New York City Council Committees on Women and Gender Equality and Civil and Human Rights for the opportunity to testify on economic abuse and coerced debt, forms of abuse that have devastating consequences on survivors' ability to achieve safety and financial stability.

The Consumer Law Project at CAMBA Legal Services, Inc. (CLS) arose out of its membership in the Working Poor Coalition, a five-member group that includes TakeRoot Justice, Goddard Riverside Law Project, Housing Conservation Coordinators, and Northern Manhattan Improvement Corporation. CLS's Consumer Law Project works together with these organizations to assist working poor New Yorkers with a broad spectrum of consumer law issues including student loan problems, inaccurate credit reporting issues, and debt collection abuse.

Our unit has a specific expertise in providing consumer legal services to victims of crime, particularly survivors of domestic violence and other forms of abuse. Four attorneys from CAMBA's Consumer Law Project are past or present co-chairs of the New York City Domestic Violence and Consumer Law Working Group, an initiative spearheaded by the Feerick Center for Social Justice at Fordham Law School. The Working Group formed because of a huge unmet need among domestic violence survivors for legal and financial empowerment services to address consumer debt and credit harm. The financial ruin that is frequently a direct or indirect result of abuse hinders survivors' ability to find safe, long-term housing and to achieve financial stability. The Working Group is comprised of approximately 50 attorney and non-attorney domestic

violence advocates and consumer advocates who coordinate cross-training between their fields, referrals, brief legal services clinics, and legislative and systems change advocacy.

The Consumer Law Project assists survivors of domestic violence who are defending against consumer debt lawsuits, trying to recoup funds stolen from their bank accounts, or who have lasting credit harm resulting from economic abuse and coerced debt. Economic abuse includes interfering with a survivor's ability to earn or keep their own income, restricting how a survivor uses money, and/or otherwise exploiting the survivor's financial resources and circumstances as a way of maintaining power and control over the survivor. Coerced debt is debt incurred in a survivor's name through pressure, threats, manipulation, and other undue influence. Abusive partners frequently:

- Prevent a survivor from going to work or school;
- Harass the survivor or cause disruptions at work, resulting in the survivor's termination;
- Steal a survivor's earnings, or force the survivor to be the sole breadwinner;
- Restrict a survivor's access to mail, bank accounts, and other financial accounts;
- Steal the survivor's identity to open bank accounts or credit card accounts, take out mortgages, and incur other debts;
- Coerce the survivor into providing their personal information or signing contracts for credit cards, auto loans, and other debts;
- Use power and control tactics to put all assets in the abuser's name and all debts and liabilities in the survivor's name;
- Commit tax fraud, including wrongfully claiming the survivor or their children as dependents without a legal right to do so, resulting in the survivor's inability to obtain important public benefits distributed through the income tax system; and
- Commit public benefits fraud, including wrongfully applying for benefits in the survivor's name, resulting in the survivor's inability to obtain benefits for herself, or in the survivor's liability for overpayments.

Nearly all survivors of intimate partner violence (IPV) (94 – 99%) report experiencing economic abuse as part of their relationship.<sup>1</sup> Around 52% percent of IPV survivors experience coerced or fraudulent debt.<sup>2</sup> In a 2018 survey of cases at the Legal Aid Society in New York City, more than one in three survivors who sought legal services for domestic violence also had a consumer debt issue.<sup>3</sup> In a survey of callers to the National Domestic Violence Hotline, 46% reported damaged credit caused by the abuse, with another 14% responding that they were “not sure,” with implications for housing, employment, and access to other resources.<sup>4</sup> Seventy-three percent of those surveyed reported staying in abusive relationships longer because they did not have the financial resources to support themselves or their families.<sup>5</sup>

CAMBA’s client, Ms. M’s, husband was physically and verbally abusive. He kept their children’s passports and threatened to abscond with them to their home country. He prohibited her from accessing her mail. She had to give all of her paychecks to her husband and was not permitted to have any information about or independent access to their household finances. Ms. M tried applying for SNAP so that she could leave the marriage, but she was denied because of assets in her name – a bank account that her husband opened in her name without her knowledge or permission, and to which she did not have access. Without a safety net, Ms. M had no choice but to remain in the marital home. Her husband is now deceased, but the fallout of his abuse continues. Ms. M’s credit was ruined because her husband fraudulently opened more than fifteen credit cards in her name, and she had five default credit card judgments against her. It has taken years of work with CAMBA to resolve – nearly – the financial mess the abuser left for her.

Another CAMBA client, Ms. A, is a domestic violence survivor living in shelter. In addition to abusing Ms. A physically and verbally, her husband opened a number of credit cards in her name without her knowledge or permission, incurring tens of thousands of dollars in debt. She left the marriage with few financial resources because her husband forced her to give him

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<sup>1</sup> Adrienne E. Adams, et. al., *The Frequency, Nature, and Effects of coerced Debt Among a National Sample of Women Seeking Help for Intimate Partner Violence*, 12(1) VIOLENCE AGAINST WOMEN at 1, 7 (2019).

<sup>2</sup> *Id.*

<sup>3</sup> Domestic Violence & Consumer Law Working Group, *Denied! How Economic Abuse Perpetuates Homelessness for Domestic Violence Survivors* (2018)

[https://www.fordham.edu/download/downloads/id/11883/denied\\_how\\_economic\\_abuse\\_perpetuates\\_homelessness\\_for\\_domestic\\_violence\\_survivors.pdf](https://www.fordham.edu/download/downloads/id/11883/denied_how_economic_abuse_perpetuates_homelessness_for_domestic_violence_survivors.pdf) (last accessed December 14, 2022).

<sup>4</sup> Adrienne E. Adams, et. al., 12(1) VIOLENCE AGAINST WOMEN at 8.

<sup>5</sup> *Id.*; see also Cynthia Hess and Alona Del Rosario, *Dreams Deferred: A Survey on the Impact of Intimate Partner Violence on Survivor’s Education, Careers, and Economic Security*, at 8, 33 (2018), [https://iwpr.org/wp-content/uploads/2020/09/C475\\_IWPR-Report-Dreams-Deferred.pdf](https://iwpr.org/wp-content/uploads/2020/09/C475_IWPR-Report-Dreams-Deferred.pdf) (last accessed December 14, 2022).

half – and then eventually all – of her earnings. She is now having trouble moving out of shelter, in part because her applications for apartments are denied because of her damaged credit.

Consumer lawyers have an array of tools to assist survivors of economic abuse or coerced debt, but legislation is needed to provide tailored defenses and remedies in this area. Lawyers are highly effective in defending against consumer credit lawsuits because plaintiffs – particularly debt buyers – do not maintain or purchase adequate documentation to prove their cases, and instead build their business models on obtaining default judgments through “sewer service.”<sup>6</sup> Tax attorneys can assist survivors whose partners file fraudulent returns in their names, while bankruptcy can give many survivors a fresh start. Federal laws such as the Fair Credit Reporting Act, Truth in Lending Act, and Electronic Fund Transfer Act provide some relief for victims of identity theft in the areas of credit reporting and liability for unauthorized use of credit or bank accounts. But financial institutions’ compliance with these laws is poor, and many instances of economic abuse and coerced debt that do not neatly fit the definition of identity theft can fall between the cracks.

Unfortunately, there are significant access to justice gaps in this area. Connecting survivor clients to consumer law services requires a robust network of front-line staff, social workers, economic empowerment specialists, and consumer, tax, and bankruptcy lawyers with economic abuse and coerced debt expertise. Survivors’ initial encounters with service providers are often to obtain orders or protection, shelter or other safety planning resources, and/or family law services. For advocates to spot consumer issues and either provide assistance or make referrals, significant training and organizational infrastructure are needed. We have come far in building this network in New York City through the DV and Consumer Law Working Group, but we lack funding for adequate staffing to provide these services.

We call on the New York City Council to take action to protect victims of economic abuse and coerced debt:

- **Increase civil legal services funding in the areas of consumer law, bankruptcy, and tax.** Create funding lines specifically for consumer, bankruptcy, and

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<sup>6</sup> “Sewer service” occurs when a debt collector fails to properly serve the summons and complaint on the defendant and then files a false affidavit of service alleging proper service. A seminal lawsuit against these practices was *Sykes v. Mel S. Harris & Assocs.*, 780 F.3d 70 (2d Cir. 2015). For background, see also, *Suit Claims Fraud by New York Debt Collectors*, N.Y. TIMES (Dec. 30, 2009), available at <https://www.nytimes.com/2009/12/31/nyregion/31debt.html> (last access Dec. 14, 2022).

tax attorneys to work with survivors of domestic violence and other forms of abuse. Encourage the State of New York to increase funding in this area.

- As the City Council has already done in the employment context, **ban the use of consumer reports – including credit reports and tenant screening reports – in rental housing applications.** Credit reports may contain information that is the result of abuse or fraud, and they frequently contain errors. In January 2022, the Consumer Financial Protection Bureau released a report finding that it received more than 700,000 consumer complaints against Equifax, Experian, and TransUnion between January 2020 and September 2021, totaling 50% of all complaints received by the agency during that period. Combined, the “big three” credit reporting agencies provided relief to less than 2% of covered complaints.<sup>7</sup>
- **Create a joint taskforce on the economic needs of abuse survivors** that includes survivors, advocates, and decision makers from city agencies.
- **Call on state legislators to pass A.10668, a bill that provides a cause of action, defense, and relief from liability for coerced debts.**

For more information, please contact Marisa Menna, Senior Staff Attorney, at 347-525-5072 // [marisam@camba.org](mailto:marisam@camba.org).

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<sup>7</sup> Consumer Financial Protection Bureau, *Annual report of consumer and credit reporting complaints: An analysis of complaint responses by Equifax, Experian, TransUnion* (Jan 5, 2022), available at <https://www.consumerfinance.gov/about-us/newsroom/cfpb-releases-report-detailing-consumer-complaint-response-deficiencies-of-the-big-three-credit-bureaus/>.





NEW YORK CITY COUNCIL COMMITTEE ON WOMEN & GENDER EQUITY  
2022 PUBLIC HEARING  
December 12, 2022

### **Organizational Background**

Thank you, Chair Cabán and the Committee on Women and Gender Equity and Chair Williams and the Committee on Civil and Human Rights for the opportunity to offer written testimony on the critical matter of economic abuse (through Intro 0148-2022) and coerced debt.

The **Center for Survivor Agency & Justice**<sup>1</sup> is a national advocacy organization that advances economic equity for survivors of gender based violence. As a national advocacy organization, we lead the Consumer Rights for Domestic Violence Survivor Initiative, the Access to Justice for Survivors Project, and the Mapping and Advancing Equity for Survivors Project. We are privileged to have worked with partners here in NYC and from other cities and states across the country in our Coerced Debt Working Group, which seeks to equitably prevent and relieve coerced debt. For nearly a decade, the CDWG has brought together advocates and lifted-up coerced debt as a critical barrier to safety, including the structural inequities that create unique and complex manifestations of coerced debt and particular barriers for survivors most marginalized. This written testimony aims to lift up our collective impact and amplify survivor and advocate testimony.

We encourage swift passage of the “economic abuse” bill (Intro 0148-2022), liberal funding of the “support survivors” bill ( Int 0153-2022) and other bold action to create multiple pathways to relieve coerced debt.

During the height of COVID-19, CSAJ came together in coalition with NYC advocates and existing task forces to lift up the unique economic impact facing survivors of gender-based violence, which resulted in a **survivor-centered policy platform and report: Reinvesting in NYC Survivors’ Economic Equity, Justice & Solidarity**.<sup>2</sup> The advocacy behind it resulted in this hearing -- and we are grateful to Councilmember Cabán’s support and desire to hear issues most critical and relevant to impacted populations.

We have included the Report with this written testimony as a fuller set of recommendations for NYC on coerced debt and the interlocking issues of housing, public benefits, and solidarity economy.

### **Link Between Gender-Based Violence, Poverty & Structural Inequity**

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<sup>1</sup> Find out more: [www.csaj.org](http://www.csaj.org) Contact us: [info@csaj.org](mailto:info@csaj.org)

<sup>2</sup> Young, N., Wee, S., Inzunza, T. Bhattacharya, A., dorosh-walther, b., Menna, M., Sussman, E., Correa, M., Cameo, M., Garcibigelow, M., Reinvesting in Economic Justice, Equity & Solidarity for Survivors in New York City: A Survivor-Centered Policy Platform & Recommendations for Coerced Debt, Housing, Public Benefits & Solidarity Economy. (September 2022) Retrieved from: <https://nycsurvivoorej.mailchimpsites.com/>

“There is no safety for survivors without economic security.”<sup>3</sup> Survivors face compounding truths:

- 1) Safety requires economic resources - from money, to housing, to childcare
- 2) Poverty restricts access to these resources, governments control them, as thus survivors’ options for safety are limited or dictated.
- 3) Abuse creates or deepens poverty - **economic abuse** specifically depletes, ruins, or controls their finances and income, including credit. **And 99% of survivors experience some form of economic abuse.**<sup>4</sup>
- 4) Abusive partners and service structures alike continue to exploit survivors marginalized status or identities creating enduring structural inequity.

And whether an abusive partner, in the case of intimate partner violence, or other harm-doers in other contexts of gender-based violence - sexual, workplace, or hate violence - economic abuse uniquely exploits the social vulnerabilities of the survivor. So while anyone can experience gendered violence - whether at home, work, in our communities, or from state/government actors - we know that **safety is not equally distributed or guaranteed**. Those marginalized by virtue of race, immigration status, gender or sexual identity, etc do not have access to the resources needed to be, get, and stay “safe.” This is born out in the disparities we see across rates of poverty and violence: While one-in-three of White, cis-gendered, women will report intimate partner violence, that rate doubles or more for poor, Black and communities of color, immigrant, indigenous, disabled, and LGBTQ+ individuals. While 1-in-10 of all adults live in poverty, we see similar trends in disparities for individuals with marginalized status or identities.<sup>5</sup>

### Coerced Debt & Its Rippling Effect

**Coerced debt is a both a type and outcome of economic abuse, and a driver of what we call the “economic ripple effect of violence”<sup>6</sup> - nationally, over half (52%) experience it as part of economic abuse.**<sup>7</sup> In a 2018 study in NYC, the Consumer Law & Domestic Violence Working Group conducted a study revealing that 30% of survivors receiving domestic violence-related legal help also had a consumer debt legal issue.<sup>8</sup> It goes without saying that those receiving legal assistance make-up a small fraction of all survivors.

Put simply, **coerced debt is any debt taken out in a survivors’ name either through fraud or identity theft (not knowing) or through coercion.** First studied and coined by law Professor

<sup>3</sup> <https://csaj.org/>

<sup>4</sup> Adams, A., C.M. Sullivan, D. Bybee, & M.R. Greeson. The Development of the Scale of Economic Abuse. *Violence Against Women*, 2008. 14(5): p. 563-588.

<sup>5</sup> See data sources at p 37 here: Erika A. Sussman & Sara N. Wee, *Accounting for Survivors’ Economic Security Atlas: Mapping the Terrain*, Center for Survivor Agency & Justice. (2016) Retrieved from:

<https://csaj.org/wp-content/uploads/2021/10/Accounting-for-Survivors-Economic-Security-Atlas-Mapping-the-Terrain.pdf>

<sup>6</sup> Sara J. Shoener & Erika A. Sussman, *Economic Ripple Effect of IPV: Building Partnerships for Systemic Change*, *Domestic Violence Report* 83-95 (August-September 2013).

<https://csaj.org/wp-content/uploads/2021/10/Economic-Ripple-Effect-of-IPV-Building-Partnerships-for-Systemic-Change.pdf> (last visited Sept. 8, 2022).

<sup>7</sup> Adrienne E. Adams, et. al., *The Frequency, Nature, and Effects of Coerced Debt Among a National Sample of Women Seeking Help for Intimate Partner Violence*, 19(1) *VIOLENCE AGAINST WOMEN* at 1, 7 (2019).

<sup>8</sup> *Domestic Violence & Consumer Law Working Group, Denied! How Economic Abuse Perpetuates Homelessness for Domestic Violence Survivors* (2018) [https://www.fordham.edu/download/downloads/id/11883/denied\\_how\\_economic\\_abuse\\_perpetuates\\_homelessness\\_for\\_domestic\\_violence\\_survivors.pdf](https://www.fordham.edu/download/downloads/id/11883/denied_how_economic_abuse_perpetuates_homelessness_for_domestic_violence_survivors.pdf) (last visited June 17, 2022)

Angela Littwin in 2012, coerced debt refers to “all nonconsensual, credit-related transactions that occur in a violent relationship.”<sup>9</sup> It includes debt taken out in the survivor’s name without their knowledge or consent (“fraudulent transactions” - identity theft), or debt that they pressure, threaten, or manipulate a survivor into taking out in their own name (“coercive transactions”). Research shows that 71% of survivors report their partner keeps or hides financial information from them. 63% report threats of abuse or actual abuse if they refuse or even question their partner about credit, loans, or bills.<sup>10</sup>

In the case of **FRAUD**: a partner may put an apartment lease or utilities in a survivors’ name without telling them, they control household finances but then never pay rent.

In the case of **COERCION**: For example, an abusive partner may coerce their partner into taking out a car loan in their name, never let them use the car (impact on getting to work), cover gas and repairs with a credit card the survivor does not know about and they do not pay, rack up parking or traffic tickets they hide from the survivor.

Coerced debt has a profound **impact on survivor safety** - in the short term and across their lifetime:

- **It creates incredible debt loads** they cannot pay (and should not have to). Half (50%) of survivors surveyed in a National Economic Well-Being of Survivors study had debt up to \$20,000, 23% have debt over \$20,000, and 26% were not sure how much debt they have.<sup>11</sup>
- **Damages credit, which creates collateral barriers** to housing, utilities, phones, transportation (the stuff of safety and stuff of life). 46% of domestic violence survivors report damaged credit as a result of abuse.<sup>12</sup>
- **Denies access to future opportunity** (ie. if a survivor has taken on their partner’s student loans as part of coerced debt and does not pay because they do not know about it, cannot afford it, or due to other economic abuse, they can default on the loan, which means they are not eligible to apply for other student loans or financial aid for themselves).
- **Creates complex legal issues** (via debt collection and especially when compounded with DV, immigration, or other legal matters). Of those who report experiencing coerced debt, 25% found rather than received mail that informed them.<sup>13</sup> This may include finding out about it because a paycheck was garnished, bank account frozen, they intercepted or saw mail or a phone call from debt collectors, or found out they already have a default judgment when seeking services, etc.
- **Is a driver in the wealth gap** thus has intergenerational implications that go far beyond dollars and cents.

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<sup>9</sup> Angela Littwin, Coerced Debt: The Role of Consumer Credit in Domestic Violence, 100 CALIF. LAW REVIEW 951, 954 (2012)

<sup>10</sup> Adams at supra note 7

<sup>11</sup> Adams, A. & Wee, S. (2021). Domestic Violence & Economic Well-Being Study: Service Providers Report.

<sup>12</sup> Adams at supra note 4

<sup>13</sup> Adams at supra note 7

Credit is tied to our ability to access nearly every basic need, and it is also used as a measure of “worthiness” by many institutions, services, and systems. Survivors are deemed unworthy by banks, judges, landlords, employers, car dealers, and others due to the abuse of others. Nearly half of survivors who experience coerced debt report damaged credit as a result.

**Survivors living in poverty not only face the financial burden of high debt loads, but due to abuse are deemed no longer worthy of the things they need most.** And there are unique and disproportionate implications for immigrant, trans, and survivors of color:

- Immigrant survivors may not have work authorization or be eligible for public benefits, but they can have high debt and poor credit.
- Trans survivors do not have the right to self-identify, but can have fraudulent debt racked up under dead names or multiple identities that financial institutions ascribe to them.
- Communities of color have fewer banking options but more default judgments for debt collections, especially in the Bronx and Central Brooklyn/East New York, according to the New Economy Project.<sup>14</sup>

### **Problems in Current Policy - New York City & Beyond**

Coerced debt is not only financially devastating, but emotionally as well. Discovering debts and issues with credit reports acts as documentation or a calendar of past abuse, and can feel like a fresh act of violence. When survivors are then disregarded or mistreated by workers in service, safety, and financial or credit systems when trying to address it, they are retraumatized and victim-blamed at the same time. **The trauma of coerced debt stems not only from abusive partners, but from our service, safety, and financial systems.**

The current policy approach, in New York City and beyond, is one of individual “self-sufficiency” and place near-total responsibility to clean-up coerced debt on survivors. This looks like an unregulated credit/financial system, laws and legal actors that are either ignorant or unsympathetic to the link between violence and poverty, and city administered agencies (public benefits, housing programs, and the NYPD) that are poised to offer a bridge to financial relief and safety, but often retraumatize, can be exploited in ongoing financial abuse, exclude populations most in need, and/or disperse little but highly controlled funds or resources. It is almost a cruel game, where survivors may have lived a lifetime of poverty and abuse, then expected to budget their way out of poverty and the economic harm from abuse in a matter of weeks or months.

As a result, programs and funding is largely focused on offering survivors “financial literacy,” “financial education,” or “financial empowerment” training with the goal of improving their money management skills. While this can be a helpful tool and advocates (as well as financial coaches) can provide powerful one-on-one economic advocacy to help survivors navigate debt, ongoing abuse, and repair/build credit -- this approach is insufficient and misguided. It turns issues of abuse and structural inequality into issue of individual behavior. It denies the inherent

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<sup>14</sup> New Economy Project. Report: Absence of Bank Branches in Communities of Color New York City, 2022: [https://www.neweconomynyc.org/wp-content/uploads/2022/11/Branches\\_2022.pdf](https://www.neweconomynyc.org/wp-content/uploads/2022/11/Branches_2022.pdf) and Report on New York, NY Default Judgments in Debt Collection Lawsuits: <https://www.neweconomynyc.org/wp-content/uploads/2022/02/New-York-City.pdf>

strengths, skill, and resilience of survivors and blames them for debt cause by others and perpetuated by an unregulated credit system. **We need policies and funding that put the responsibility of change on financial and credit systems and government safety services.**

**Survivors say that the current policy approach - not unique to NYC - mirrors the exploitation and control of economic abuse.** It is irrelevant at best, and often harmful.

“From my point of view, instead of helping the victims, [the government] drags them into another negative and violent environment.”

-- survivor from 2021 visioning call, NYC Survivor Economic Equity Report<sup>15</sup>

The good news is: NYC is rich. Literally, and in the expertise of survivors and a diverse advocacy community who - despite also being under-resourced - work in creative coalition to navigate both interpersonal and structural inequities of coerced debt.

### **Recommendations**

In contrast to the “economic ripple effect of violence,” NYC survivors from our visioning sessions in 2021 laid a clear roadmap. Broadly, they want:<sup>16</sup>

- Multiple options for safety, community, and economic security
- Robust and flexible safety nets accessible by all
- Coordinated & long-term supports, investment in alternatives
- Can rely on intergenerational and community investments

When it comes to coerced debt, **survivors need multiple pathways to forgive, buy-off, pay, and/or remedy coerced debt, and repair credit reports. We strongly recommend the New York City Council do the following:**

- **Hear and act on both the problems and recommendations made by survivors and advocates** to the New York City Council on December 12, 2022-.
- **Pass the ‘economic abuse’ bill (Intro 0148-2022) and liberally fund the “support survivors” bill (Int 0153-2022).**
- **Learn from what the federal government and other states and localities have done to address coerced debt (Texas, California, Maine) and pass similar legislation locally as well as encourage state action.** Current strategies include: defining economic abuse in state codes to trigger family law, housing, and consumer protections, adopting policies that block negative credit reporting resulting from economic abuse; expanding the definition of identity theft to include coercion; and allowing for documentation practices that free survivors from having to engage with the criminal justice system. The federal Reauthorized Violence Against Women Act recognizes economic abuse, offering strong support for states to follow suit in legislation and in statutory implementation. *See the attached federal and state summary document, for additional details.*
- **Fund further study of the issue in NYC - how it manifests for marginalized survivors and specific barriers within city service agencies.** There is growing national data and

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<sup>15</sup> Report at supra note 2 at 39

<sup>16</sup> Report at supra note 2 at 17



NYC advocacy programs collect data on survivors' experiences of economic abuse, coerced debt, barriers to access economic resources/relief from city services, and barriers to access legal remedies. More is needed at a local level. More data can help specify who experiences coerced debt and how it shows up and/or get entangled in city services (public benefits, housing, in accessing services through the Family Justice Centers, to interaction with NYPD). For example, abusive partners may use public benefits in their coerced debt, leaving survivors liable for back-payments or public benefits fraud. Caution must be taken with collecting data of a sensitive nature, especially when it could implicate survivors in systems (or even the perception). Any change in City service agency documentation practices should be advised by survivors and advocates to ensure it is survivor centered and trauma-informed. NYC may also fund studies of it in inclusive, participatory, action-oriented ways that examine how coerced debt manifests and the barriers to address it for those with multiple marginalized identities.

- **Establish and fund survivor-led oversight committees** - to hold city agencies accountable to identifying and addressing coerced debt and providing actual bridges to economic stability.
- **Expand funding to provide consumer legal services** to domestic violence survivors, including interdisciplinary training to consumer and domestic violence attorneys and advocates.
- **Remove credit checks from housing applications.** Research here may be a helpful onramp to identifying particular barriers or bad-actors.

Beyond these recommendations, we also **encourage NYC Council to look to black, trans, queer, immigrant, poor, systems-entangled survivors and the communities they build for creative ways to use your individual and collective powers** to amplify and build solutions already happening in your communities.

To truly counteract economic abuse, our systems need to offer choice, flexibility, meaningful material and financial support, think long-term, and be truly inclusive and available to all. NYC can be a leader in disrupting a critical barrier to survivor safety

Addressing coerced debt will require bold, multilevel, and systemic action. CSAJ is proud to partner with advocates, survivors, and any willing City Council Members.

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## CENTER FOR SURVIVOR AGENCY & JUSTICE

### Federal Legislation

#### Reauthorized Violence Against Women Act

The Reauthorized Violence Against Women Act, which President Biden signed into law this past year, defines “economic abuse,” as “behavior that is coercive, deceptive, or unreasonably controls or restrains a person’s ability to acquire, use, or maintain economic resources to which they are entitled.” This offers federal protections to survivors of economic abuse, in civil protection order proceedings, criminal proceedings, courts. It offers strong support to states and localities to adopt similar economic abuse protections.

#### Debt Bondage Act

Pursuant to the Debt Bondage Act, passed this past year, the Consumer Financial Protection Bureau (CFPB) issued a final rule to help survivors avoid some of the financial consequences of human trafficking. The CFPB established, among other things, a method for survivors of trafficking to submit documentation to credit reporting companies that identifies any adverse item of information that resulted from human trafficking. The rule prohibits credit reporting companies from providing a report containing the adverse items of information.

#### Joint Consolidation Loan Separation Act

Under the Joint Consolidation Loan Separation Act, passed this past year, survivors of domestic violence can separate their student loans from their abusive partners without requiring the cooperation of their abusive partner.

#### Consumer Financial Protection Bureau

The Consumer Financial Protection Bureau is currently exploring ways for it to use its rulemaking and enforcement powers to address coerced debt and other forms of economic abuse.

### State Legislation

#### **California**

##### Overview

- Advocates in California passed 1 law addressing coerced debt debts in family law restraining orders.
- 2 additional bills have made some traction in the CA legislature but have yet to pass. One law allowing for the ability to provide a FTC identity theft affidavit in identity theft cases (currently only a police report is considered valid documentation) and another [bill](#) prohibit creditors and debt collectors from being able to collect from a survivor when the debt is deemed to be coerced debt and will prohibit consumer credit reporting agency from reporting debts that are a result of this abuse. The bill will expand the allowed documentation to demonstrate that the debt was incurred as a result of economic abuse.

### Specific Legislation

- Californians passed AB 2517 (Gloria), passed in 2020 to address these debts in family law restraining orders. Authorizes courts to make a finding in a domestic violence restraining order that specific debts were incurred as a result of domestic violence,

### **Maine**

#### Overview [\*Maine Enacts Law Protecting Victims of Economic Abuse\*](#)

Maine's first law on economic abuse, An Act to Provide Relief to Survivors of Economic Abuse, went into effect in September of 2019. This law provides survivors an outlet to fight against economic abuse by offering protection from debt collectors, requiring credit reporting agencies to remove debt resulting from abuse from survivor's credit reports, and allowing courts to order compensation for losses related to the abuse.

### **Texas**

#### Overview

- Advocates in Texas worked to create policy remedies that address the intersection of economic abuse, coerced debt, and identity theft for victims of domestic violence.
- 2 state policies were passed to clearly identify victims of coerced debt as victims of identity theft, in the Texas Criminal and Business Commerce Codes opening up access to economic legal remedies.
  - First amended the Penal Code definition of identity theft, effectively expanding the statute to include coerced debt and similar behaviors.
  - 2nd: updates the definition of identity theft in the Business and Commerce Code to mirror current language in the Penal code. It helps survivors of domestic violence who may not feel comfortable going to the police because of fear or intimidation.

#### Status update and benefits

- Texans are working to educate and train law enforcement, attorneys, domestic violence advocates, and stakeholders on these 2 laws to ensure victims can access benefits of the legislation which include accessing protections through the Fair Credit Reporting Act (FCRA) including credit freezes, blocks, and relief from debt for survivors deemed victims of identity theft by a court.

#### Lessons learned/ Successful strategies

- Bi-partisan bill sponsors (R- Morgan Meyer, and D- Judith Zaffirini)
- Support from Independent Bankers Association or other relevant banking institutions
- No active opposition
- TCCD partner agencies leveraging testimony/different perspectives (like NYC coalition)

### Specific Legislation

- 2019: H.B. 2697 – 1st Coerced Debt Law passed. Legislation amends state Penal Code relating to the offense of fraudulent use or possession of identifying information. Address



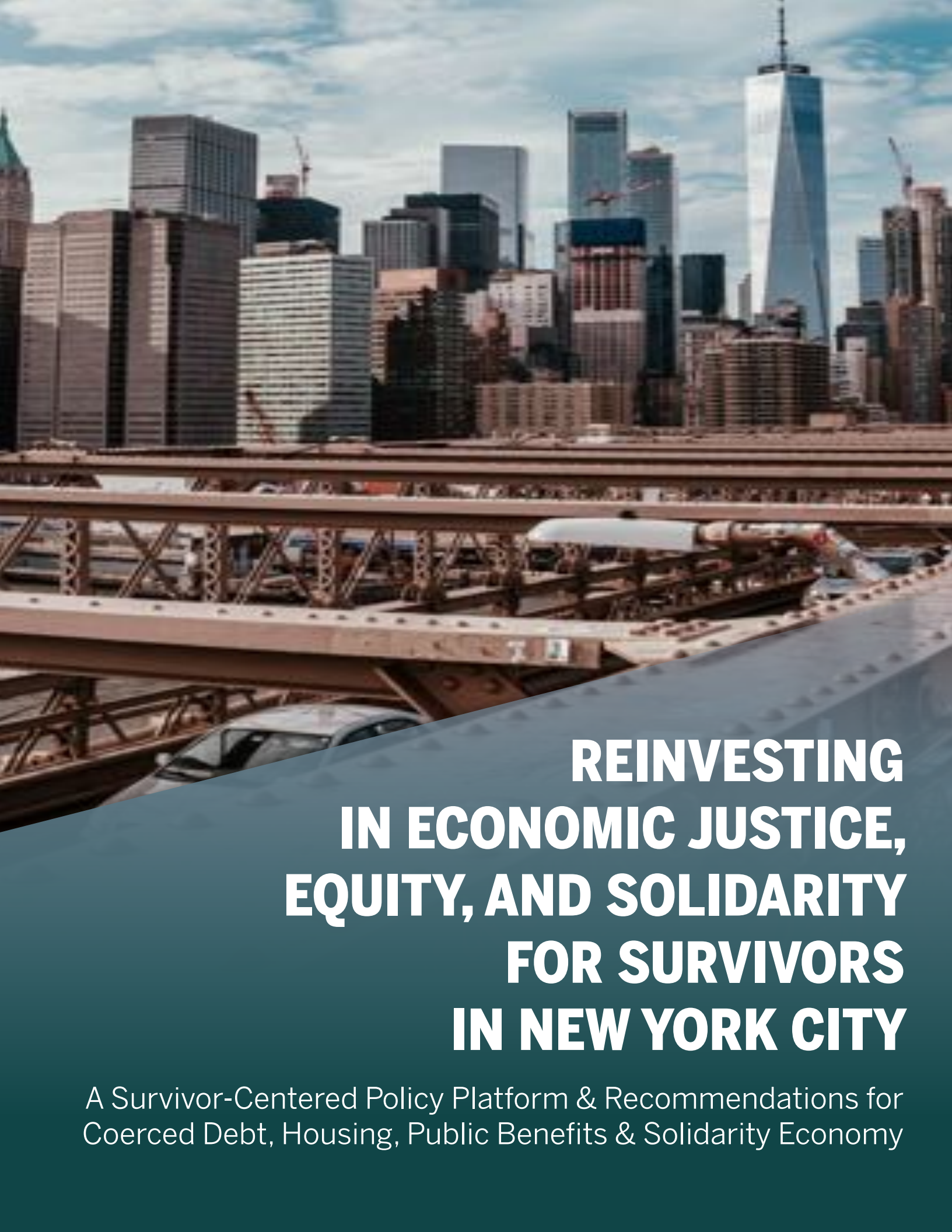


coerced debt by adding "effective consent," a broader legal standard than simply "consent," to the Penal Code definition of identity theft, effectively expanding the statute to include coerced debt and similar behaviors. The benefits are twofold: 1. Prosecution of domestic abusers. 2. Victims of coerced debt can gain special rights conferred to victims of identity theft via existing state and federal laws, such as the Fair Credit Reporting Act.

- 2021: H.B. 3529 – 2nd Coerced Debt Law passed. H.B. 3529 updates the definition of identity theft in the Business and Commerce Code to mirror current language in the Penal code. It helps survivors of domestic violence who may not feel comfortable going to the police because of fear or intimidation. This bill offers remedies under Chapter 521 of the Business and Commerce Code for victims of coerced debt. Chapter 521 enables victims to be declared victims of identity theft in state district court, based on the facts surrounding a particular debt. Once a person has such a declaration from a court, it can be used as a defense in a debt collection lawsuit to remove coerced debts from a credit report and to stop other collection efforts. This bill is essential for survivors of domestic violence, as they often face pushback from credit bureaus and debt collectors even when they have a police report alleging identity theft.

#### Coalition Work

- Progress on CD legislation was spearheaded by the Texas Coalition on Coerced Debt (TCCD) which is a coalition of Texas-based attorneys, advocates, policymakers, financial professionals, and law enforcement who are interested in promoting identity theft protections for survivors of family violence. The Coalition is jointly coordinated by Texas RioGrande Legal Aid, Texas Appleseed, the Texas Council on Family Violence, and the Texas Legal Services Center, with expert support from Professor Angela Littwin of the University of Texas School of Law. This group's work began in 2017 with discussions on coerced debt and evolved into multiple initiatives including the publication of a white paper on coerced debt, an online-toolkit, and a partnership with the National Identity Theft Victims Assistance Network (NITVAN).



# **REINVESTING IN ECONOMIC JUSTICE, EQUITY, AND SOLIDARITY FOR SURVIVORS IN NEW YORK CITY**

A Survivor-Centered Policy Platform & Recommendations for Coerced Debt, Housing, Public Benefits & Solidarity Economy

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**The Collective**

**Domestic Violence and Consumer Law Working Group**

**Domestic Violence & Economic Justice Taskforce**

You can find detailed descriptions of these collaboratives in the Acknowledgments section at the end of this Report



# TABLE OF CONTENTS

- EXECUTIVE SUMMARY: WHY ECONOMIC EQUITY FOR SURVIVORS? WHY NOW?**..... 4
- NO SAFETY WITHOUT ECONOMIC SECURITY**..... 7
  - The Landscape of Violence, Poverty, and Social Inequity In New York City..... 7
  - Methods..... 9
  - Values Guiding Our Work..... 10
- FACTSHEET: THE ECONOMIC RIPPLE EFFECT OF VIOLENCE IN NYC**..... 13
- A SURVIVOR-CENTERED VISION FOR ECONOMIC JUSTICE, EQUITY & SOLIDARITY**..... 17
  - Bridging the Ripple Effect: A Survivor-Centered Vision for Economic Equity..... 17
  - Policy Priority Areas & Key Outcomes..... 18
    - Advance Equitable Responses And Resources for Gender-based Violence Survivors*
    - Place Survivor Equity And Solidarity At The Center Of City & State Economic Development*
    - Undo Racialized Structural Harm, Including Investing In New Ideas*
    - Engage Survivors In Government Policy And Planning*
  - Lifting Up & Following the Leadership of Survivor & Community-Led Initiatives..... 21
- ISSUE BRIEFS & RECOMMENDATIONS**..... 21
- CALL-TO-ACTION**..... 22
  - Coerced Debt..... 23
    - Issue Brief*
    - Recommendations to Address Coerced Debt*
  - Housing..... 28
    - Issue Brief*
    - Recommendations for Survivors' Housing Equity*
  - Public Benefits..... 32
    - Issue Brief*
    - Recommendations for Equitable Access to Public Benefits*
  - Toward a Survivor-Centered Solidarity Economy..... 39
    - Issue Brief*
    - Recommendations Toward a Solidarity Economy*
- CONCLUSION & CALL-TO-ACTION**..... 43
- ACKNOWLEDGMENTS**..... 45

# EXECUTIVE SUMMARY: WHY ECONOMIC EQUITY FOR SURVIVORS? WHY NOW?

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## OVERVIEW

Safety for survivors of gender-based violence requires economic security. The COVID-19 pandemic unleashed simultaneous health and economic crises with acute impacts particular to survivors. The media coverage and severity of gendered, economic, and racial inequities over the last few years have grown general public awareness around these issues. For survivors and advocates who navigate social and economic barriers to safety both before and during the pandemic, these inequities are not news but rather lived realities.

Despite a higher level of awareness amongst the general public and policymakers about the social, economic, legal, and administrative struggles facing survivors in pursuit of safety, these barriers remain in place. Specifically, survivors grapple with:

- **Low-incomes, high debt loads, and damaged credit** which may result from abuse, entrapping them in poverty and/or unsafe relationships;
- **Homelessness** exacerbated by inaccessible and unaffordable housing;
- **Restricted access to public assistance** and other government resources that could offer a bridge to economic security, and
- **Exclusion from mainstream economic opportunities**, financial institutions, and economic resources, and penalization or criminalization for participation in survival and alternative economies – especially for survivors who are marginalized by race, immigration status, and/or LGBTQ+ identities.

In March 2021, a group of advocates and attorneys from gender-based violence advocacy and legal services programs across New York City came together to lift up a survivor-centered vision for economic equity with specific recommendations on the key issues above. To do this, we examined and compiled data and evidence on each issue, and then held a series of six visioning calls with 24 survivors and 61 advocates, attorneys, and other direct service providers representing 27 NYC organizations and programs. (See who we mean by “advocates” that make up our coalition and who participated in calls in the call-out, below.)

Through these calls, survivors and community-based advocates from across NYC gave us new vision -- one that bridges the economic ripple effect and builds economic equity in solidarity, community, cooperation, and care. The priority areas of this vision are to:

- 1. Advance equitable responses and resources for gender-based violence survivors.**
- 2. Place survivor equity and solidarity at the center of City & State economic development.**
- 3. Dismantle deeply ingrained racist systems and practices in our institutions and invest in new ideas.**
- 4. Engage survivors in government policy and planning.**

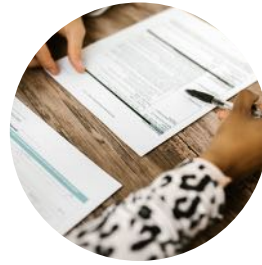
And they include specific recommendations to address or advance economic equity across four key issues:



**COERCED DEBT**



**HOUSING**



**PUBLIC BENEFITS**



**SOLIDARITY  
ECONOMY**

In this report, we share back the vision and specific recommendations from these calls with the aim of fueling dialogue, partnership, and concrete systems change. With it we aim to:

- Articulate and strengthen a gender justice and anti-racist framework for economic justice that individual advocates, organizations, and allied initiatives can use to inform their own work and systems advocacy.
- Provide a toolbox and a jumping-off point for partnership building and organizing.
- Fuel awareness, action, and accountability of and for elected officials, commissioners, City services, and Mayor Adams.
- Offer opportunities for collaboration between survivors, advocates, and policymakers in NYC.

## CALL-TO-ACTION

As advocates for survivors in NYC, we believe in this city. We see the resilience and resourcefulness of survivors day-in and day-out, and know NYC is a place where all survivors can be supported and safe.

Survivors and community-based advocates from across NYC gave us an inspiring new vision of economic justice, equity, and solidarity. We just need to follow it.

As a first step, we invite individual survivors, advocates, community members, community-based organizations, aligned gender-, racial-, and economic-justice initiatives, City agencies, and elected officials to support this vision.

***Do you support this vision for survivor economic equity? Show your commitment by adding your signature at the link below.***

***Join Our Call-To-Action***

## A NOTE ABOUT TERMS:

**ADVOCATES:** While an “advocate” can be many things, including those working for or developing policy and those who represent specific service systems (i.e., court or system advocates, government workers or case managers), we use it as an umbrella term for people who work with individual survivors in partnership toward their self-defined safety. They have many professional roles, job titles, and affiliations with community-based, nonprofit (and non-governmental), and survivor-led programs or organizations. The advocacy they provide can look like many things, but typically includes safety planning, helping to access and navigate services (i.e., shelter, housing, courts), and working in alliance with survivors to meet basic needs and toward their self-defined safety goals. We include family, domestic violence, consumer, and other civil legal attorneys that provide direct legal representation to survivors under this umbrella, unless we need to specify.

**GENDER-BASED VIOLENCE:** We tend to use this term to represent a fuller range of interpersonal violence or abuse a person may experience. This is inclusive of or may be used interchangeably with “domestic violence/abuse” or “intimate partner violence” and “hate violence.” Gender-based violence offers a more expansive sense of gender, sexuality, and other identities of both the survivor and the abusive partner or person who causes harm. In the context of coercive control, many people in our lives (not only intimate or romantic partners) can create systems of force, threat, and deprivation around us. We use the other terms when needed to be consistent with the research or data presented.

**SURVIVOR:** The person who has experienced violence or abuse. Also called, “victims,” we use “survivors” in acknowledgment of their personhood, resilience, and agency within coercive and violent contexts.

**ABUSIVE PARTNER OR PERSON WHO CAUSES HARM:** Because we aim to humanize all people, even those who deny or take away the humanity of others, we use person-first language. The bulk of the research on this topic examines abusive relationships amongst married or intimate cisgendered heterosexual couples, but we also know that other people close to us (even if we are not “intimate” or coupled with them) can cause harm too. Employers, co-workers, landlords, family members, friends and acquaintances, as well as individuals who hold power or privilege over us. We are specific when and where needed, and also acknowledge that a fuller range of relationships of harm that have historically been left out of “domestic violence” conversations, policy, and practice.

**ACRONYMS OF NYC AGENCIES:** Throughout this report we refer to numerous government agencies and programs run by the City. We tend to identify them via their acronyms. While we try to name them in full when introducing them, some common ones include: Human Resources Administration (HRA), New York City Housing Authority (NYCHA), Department of Homeless Services (DHS), Adult & Child Services (ACS), and the New York Police Department (NYPD).

# NO SAFETY WITHOUT ECONOMIC SECURITY

“There is no safety for survivors without economic security.”<sup>1</sup> In fact, research shows that poverty strongly correlates with higher rates of violence.<sup>2</sup> While one-in-three women experience intimate partner violence, that rate is at least doubled for those living in poverty. Nearly all survivors experience economic abuse

(94-99%). While economic hardship may originate with abusive partners or other persons who cause harm, it is compounded by multiple and profound systems barriers that result in an “economic ripple effect of violence” throughout survivors’ lives.<sup>3</sup> Consequently, people on the social margins -- like immigrants, LGBTQ+ folks, BIPOC, and people with disabilities -- experience both poverty and violence at much higher rates than their white, cisgender counterparts.

**ECONOMIC ABUSE** is defined as behavior or tactics meant to systematically “control a person’s ability to acquire, use, and maintain economic resources.”

— Adams, The Scale of Economic Abuse

Survivors and advocates who support them understand the correlation between abuse and poverty as several interrelated truths, including: that abusive partners exploit the vulnerabilities created by poverty in their use of power and control; poverty and a lack of economic opportunity trap survivors in relationships with their abusive partners as well as in other unsafe situations; a lack of resources makes it difficult for survivors to escape, recover from, and/or prevent future risks of violence; many options for safety and access to money/resources are built into government service systems and governed by inequitable policies that make them exceedingly difficult to access, navigate, and maintain, particularly for marginalized communities.

**See a factsheet on the economic ripple effect of violence on page 13.<sup>4</sup>**

## THE LANDSCAPE OF VIOLENCE, POVERTY, AND SOCIAL INEQUITY IN NEW YORK CITY

Just before the pandemic in 2019, 19% of all New Yorkers lived in poverty<sup>5</sup> and the NYPD received 175,896 Domestic Incident Reports.<sup>6</sup> While both poverty rates and reports of IPV generally declined between 2015-2019, deep racial disparities remained. While 10% of White men and 12% of White women lived in poverty, rates of poverty for Asian, Black, and Hispanic women ranged between 21-24%.<sup>7</sup>

We know survivors are over-represented amongst impoverished communities. The COVID-19 pandemic deepened disparities in economic security, health, and safety. In a national survey of direct service providers conducted by the Center for Survivor Agency & Justice (CSAJ) during the onset of the pandemic (March-May



2020), the top five economic challenges that advocates reported all survivors faced were: lost income, inability to pay bills, food insecurity, concerns about access to economic impact payments, and trouble finding an attorney.<sup>8</sup> In contrast, advocates working with immigrant survivors reported the same challenges, but at higher rates, and they were uniquely coupled with higher reports of “fear seeking help for abuse or COVID-19.” This indicates that advocates and immigrant survivors knew the conflux of COVID-19 and abuse would imperil their tenuous existence in dangerous ways.

## THE ECONOMIC RIPPLE EFFECT OF VIOLENCE

“The reciprocal relationship between intimate partner violence (IPV) and poverty is well documented. Abusive partners create economic instability for their partners through economic sabotage and control. And poverty, in turn, creates increased vulnerability to violence and additional barriers to safety... Indirect and lasting economic consequences of abuse ripple throughout survivors' lives long after the abuse has stopped, compounding their effects and creating increased vulnerability to future abuse.”

— Shoener & Sussman, 2013

Advocates in NYC were unique in implicating legal and service systems in the economic barriers to safety survivors faced during the pandemic. In addition to challenges paying bills, lost income, and issues with stimulus checks, NYC advocates said shared child custody and access to public benefits were among the top five challenges for survivors. Indeed, from March 2020 well into 2021, New York Courts were physically closed and at limited capacity, meaning that parents were unable to seek or enforce child support orders for well over a year. In 2022, all New York Courts are still severely backlogged while the civil courts have seen staffing cuts. Other research underscored how marginalized communities, like transgender individuals, face “elevated risks” of COVID-19 due to particular barriers, exclusions, and lack of protections.<sup>9</sup>

While policies and government service systems are purported to disrupt the “economic ripple effect” and reduce disparities, survivors in NYC say these systems actually turn ripples into waves. In fact, there are long-standing challenges survivors face navigating safety in NYC:

**Economic abuse and coerced debt trap survivors in poverty and unsafe abusive situations by damaging credit scores:** Abusive partners control and exploit survivors’ money, income, and access to economic resources (known as “economic abuse”). This includes accumulating debt in survivors’ names via fraud and coercion, which damages their credit and ultimately restricts their access to housing, employment, and other resources needed for safety.<sup>10</sup> It persists long after abuse has ended. Legal systems overly reliant on criminal justice responses and under-regulated financial systems inadequately protect survivors from the cascading consequences of economic abuse.

**Domestic violence drives homelessness:** Domestic violence has fueled NYC’s homelessness crisis for years.<sup>11</sup> Abuse leaves survivors with eviction records, rental arrears (often part of coerced debt), and an inability to find or pay for housing. While NYC has myriad housing programs, they are rife with exclusionary and insufficient policies which do not address coerced debt and result in disparities in safe, affordable, and permanent housing.

**Public benefits are inaccessible, volatile, and do not promote long-term economic security:** Public assistance should be a lifeline when economic abuse wreaks havoc on survivors' lives. Direct, flexible financial assistance is proven to offer survivors breathing room and a pathway to economic security,<sup>12</sup> but available public benefits are inadequate, full of punitive restrictions, and often exclude those who are most in need.

**Survivors with marginalized identities are excluded from mainstream economic opportunities, financial institutions, and economic resources – then penalized or criminalized for engaging in survival and informal economies:** Survivors who cannot find debt relief, housing, traditional employment to generate income, nor access public benefits through available service systems often come up with creative alternatives to meet their economic needs. And many financial institutions practice modern-day redlining by avoiding low-income communities of color, or targeting them with unfair, predatory practices.<sup>13</sup> Survivors are often penalized or even criminalized for operating in informal economies when they are excluded from the mainstream. This is particularly true for immigrant, BIPOC, and LGBTQ+ communities.

The social and economic disparities created and upheld by our government and economic systems for centuries have only been exacerbated by the COVID-19 pandemic and continue to determine who can weather the storm and access safety.

**The above-outlined issues are systemic problems which require systemic solutions,** but NYC social services and policies currently focus on individual self-sufficiency rather than reckoning with historical inequities built into our social structures. Left unchanged, our policies and services will not address or prevent violence in our communities, particularly for those most marginalized. In fact, such policies will only deepen disparities in who has access to safety.

We need a new vision of economic equity for survivors in NYC. And for City agencies and electeds who have the will to take bold action toward change.

## METHODS

**Group and purpose.** In March 2021, a group of advocates came together to hear and gather a vision for survivors' economic equity that could inform NYC policy-making. The group was made up of direct service advocates and attorneys representing eight gender-based violence, culturally specific, and legal services organizations and three collaborative advocacy groups across NYC. See [Author Acknowledgments](#)

**Issue selection.** Together we reviewed and discussed COVID-specific and pre-pandemic data on survivors' needs and persistent systems barriers identified by advocates. Given their overlapping and comprehensive nature, we prioritized the issues of coerced debt, housing, public benefits, and alternative/solidarity economies. [See factsheet for a summary of the evidence we gathered on page 13.](#)

**Visioning calls.** Between October 2021 and January 2022, we held a series of six calls with 61 advocates representing 27 organizations across NYC, and with 24 Spanish-speaking survivors (with a range of immigrant and other held identities) who were engaged in worker cooperatives or other aspects of the solidarity economy. "Systems maps" were developed prior to calls to help illustrate the current landscape

of services, programs, policies, and related challenges for each topic area (see in briefs below). The calls elicited visioning and creative solutions as alternatives to the systems maps. See details in the chart below and find systems maps in the four Issue Briefs later in this report.

CALL TOPIC	CALL DATE	NUMBER OF PARTICIPANTS
HOUSING	OCT 12, 2021	10 ADVOCATES (FROM 10 ORGANIZATIONS)
PUBLIC BENEFITS	NOV 9, 2021	13 ADVOCATES (FROM 11 ORGANIZATIONS)
COERCED DEBT	NOV 15, 2021	24 ADVOCATES (FROM 14 ORGANIZATIONS)
SOLIDARITY ECONOMY	DEC 7 & JAN 14, 2021	24 SURVIVORS
SOLIDARITY ECONOMY	DEC 13, 2021	3 ADVOCATES (FROM 2 ORGANIZATIONS)

## VALUES GUIDING OUR WORK

During early meetings, the coalition spent time articulating a set of values to ensure our work was guided by survivor-centered and intersectional approaches. We believe in...

**The power of choice and survivor agency:** We are aware that for survivors one of the most important tools that can be offered when healing from trauma is choice. We believe that solutions that support survivors in obtaining economic security must center survivors' voices, ideas, and lived realities, particularly those who are most marginalized. Rather than reenact harmful dynamics of abuse by forcing survivors to access only one option to seek safety, solutions must work to maximize survivor choice and ability to self-determine their own safety. There is no one size fits all approach for survivors' safety.

**Anti-racist and anti-oppression approaches:** Any work to address the most critical economic issues facing survivors must acknowledge and contend with historic policies of discrimination and oppression and their modern-day manifestations. Service systems must acknowledge and reckon with deep, historical roots in racist and discriminatory practices. Courageous structural changes are necessary to support survivor economic options for safety and will ultimately work to end the conditions of gender-based violence and poverty. We reject patronizing, victim-blaming narratives and seemingly neutral policies that place the onus on the individual morality or fiscal responsibility of survivors. These narratives and policies have been used to target, exclude, and neglect specific communities from economic equality, including Black, Indigenous, and People of Color (BIPOC), people with disabilities,

youth, elderly individuals, immigrants, systems-involved/formerly incarcerated, sex workers, and LGBTQ people. We know that everyone benefits when we center those at the margins. We also acknowledge that many advocates are survivors, and recognize that racism, homophobia, transphobia, and xenophobia directly impact many of us working to affect change.

### **Carceral Abolition, Decriminalization & Reinvestment in Community-Driven**

**Solutions:** The communities most harmed by interpersonal and gender-based violence are also among the most criminalized and negatively impacted by the criminal legal system. We recognize that the criminal legal response to interpersonal and gender-based violence has led to dangerous consequences for survivors — from victim-blaming and re-traumatization, to the criminalization of survivors, to lethal consequences. This is particularly true for those from marginalized communities. We believe that safety for all survivors cannot be achieved without addressing the real impacts of state violence imposed by criminal legal interventions. As such, we hope to see and support efforts to dismantle and end carceral systems that are abusive, racist, misogynistic, transphobic, homophobic, and more. We support efforts to reinvest in community-driven approaches to re-vision, re-define, and try new (or previously unacknowledged) approaches to safety and accountability. We also acknowledge that carceral abolition is a long term goal and that survivors have immediate needs that may result in survivors and advocates, by necessity, having to navigate and engage with law enforcement and criminal legal systems. We support the creative risk-reducing strategies survivors and advocates employ, while we strive for a world where no survivor would need to interact with harmful systems for accountability or resources.

**Systems problems require systems solutions (and radical change):** Inequities require holding systems accountable, not merely promoting survivor economic self-sufficiency. Current approaches ask individual survivors to overcome systems and policies that create poverty and promote violence. Survivors are not making poor financial decisions, rather the systems they must navigate offer untenable choices - are designed for them to fail. In fact, we believe the choices and actions survivors make for safety are creative, ingenious, resilient, and community-building. If things like “economic inequity, cultural bias, and institutional barriers both confound and compound survivors’ economic insecurity,”<sup>14</sup> then economic equity, cultural belonging and humility, and access to institutional services and resources should guide policy making, funding, and institutional change.

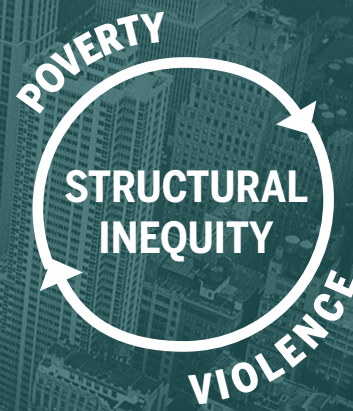
**Solutions that are survivor-, advocate-, and community-directed:** Survivors are the experts of their own lives, survivors and advocates are experts in navigating systems, and communities are experts in the best ways to collectively care for one another. From visioning calls, survivors were clear that economic policies and programs should reflect principles of care, cooperation, and community building. Solutions, services, and options we develop must foster and embody these characteristics. To create services and systems that are truly accessible and attentive to survivors’ needs, these voices should be our guide.

# ENDNOTES

- 1 See Center for Survivor Agency & Justice. Accounting for Economic Security Atlas (2016) <https://csaj.org/accounting-for-economic-security/> (last visited Sept. 8, 2022) for details on the link between poverty, violence, and systemic inequities and an advocacy framework to address it.
- 2 Henson, Tammy, Poverty, Domestic Violence, and the COVID-19 Pandemic 16 POVERTY LAW CONFERENCE & SYMPOSIUM (2020) <https://digitalcommons.law.ggu.edu/povlaw/16> (last visited Sept. 8, 2022).
- 3 Sara J. Shoener & Erika A. Sussman, Economic Ripple Effect of IPV: Building Partnerships for Systemic Change, Domestic Violence Report 83-95 (August-September 2013). <https://csaj.org/wp-content/uploads/2021/10/Economic-Ripple-Effect-of-IPV-Building-Partnerships-for-Systemic-Change.pdf> (last visited Sept. 8, 2022).
- 4 A note on national data collected on IPV: The National Intimate & Sexual Violence Survey is the only nationally representative dataset on self-reports of intimate partner violence (IPV). It has limitations and has not been updated since 2010. Sample sizes are not large enough to disaggregate reports of IPV beyond black, hispanic, and white individuals, nor are all racial categories available at the state-level. NISVS has a supplement report on IPV in the context of gay, bisexual, and lesbian relationships, however does not include transgender or gender non-conforming people and no national federal study does. We used academic and community-based research to supplement findings for racial/ethnic groups, immigration, transgender and gender nonconforming, and people with disabilities. However, even academic research, while expanding, is largely limited to the experience of cisgender, heterosexual relationships. See the factsheet and endnotes for specific sources we relied on. Much more is needed to document, track, and thus resource the safety needs of individuals living at the intersections of marginalized identities. National Coalition of Anti-Violence Programs, Lesbian, Gay, Bisexual, Transgender, Queer and HIV-affected Hate & Intimate Partner Violence Report (2017): <http://avp.org/wp-content/uploads/2019/01/NCAVP-HV-IPV-2017-report.pdf> (last visited Sept. 8, 2022).
- 5 New York City Mayor's Office for Economic Opportunity, New York City Government Poverty Measure 2019: An Annual Report from the Office of the Mayor (2019) [https://www1.nyc.gov/assets/opportunity/pdf/21\\_poverty\\_measure\\_report.pdf](https://www1.nyc.gov/assets/opportunity/pdf/21_poverty_measure_report.pdf) (last visited Sept. 8, 2022).
- 6 New York City Mayor's Office to End Gender-Based Violence, 2019 Family-Related Violence Snapshots (2019) <https://www1.nyc.gov/assets/ocdv/downloads/pdf/Family-Related-Violence-Community-Board-Snapshots-2019.pdf>
- 7 New York City Mayor's Office for Economic Opportunity, *supra* note 5.
- 8 See Sara Wee, Center for Survivor Agency and Justice, A Data-Dashboard for the Anti-Violence Field (2021) <https://csaj.org/covid-19-data-dashboard/> (last visited Sept. 8, 2022); see also FreeFrom research and reports at: [https://www.freefrom.org/wp-content/uploads/2021/07/Prioritizing\\_Financial\\_Security\\_Report.pdf](https://www.freefrom.org/wp-content/uploads/2021/07/Prioritizing_Financial_Security_Report.pdf) and <https://www.freefrom.org/wp-content/uploads/2021/06/Survivors-Know-Best.pdf> (last visited Sept. 8, 2022).
- 9 See, e.g., Centers for Disease Control and Prevention, What is Health Equity? (July 2022) <https://www.cdc.gov/coronavirus/2019-ncov/community/health-equity/race-ethnicity.html> (last visited Sept. 8, 2022); see also Peter D. Goldie & Isha Chatterjee, Examining the elevated risk of COVID-19 in transgender communities with an intersectional lens, Nature Public Health Emergency Collection (2021) <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8492083/> (last visited Sept. 8, 2022).
- 10 Adrienne E. Adams, et. al., The Frequency, Nature, and Effects of Coerced Debt Among a National Sample of Women Seeking Help for Intimate Partner Violence, 19(1) VIOLENCE AGAINST WOMEN at 1, 7 (2019).
- 11 New York City Comptroller Housing Survivors: How New York City Can Increase Housing Stability for Survivors of Domestic Violence (2019) <https://comptroller.nyc.gov/reports/housing-survivors/> (last visited Sept. 8, 2022); see also Domestic Violence & Consumer Law Working Group, Denied! How Economic Abuse Perpetuates Homelessness for Domestic Violence Survivors (2018) [https://www.fordham.edu/download/downloads/id/11883/denied\\_how\\_economic\\_abuse\\_perpetuates\\_homelessness\\_for\\_domestic\\_violence\\_survivors.pdf](https://www.fordham.edu/download/downloads/id/11883/denied_how_economic_abuse_perpetuates_homelessness_for_domestic_violence_survivors.pdf) (last visited June 17, 2022).
- 12 Cris M. Sullivan, Heather D. Bomsta, Margaret A. Hacskaylo, Flexible funding as a promising strategy to prevent homelessness for survivors of intimate partner violence, Journal of Intimate Partner Violence. 1-17 (2016) <https://dashdc.wengine.com/wp-content/uploads/2014/08/Sullivan-Bomsta-Hacskaylo-2016-Flex-funding-promising-strategy-JIV.pdf> (last visited Sept. 8, 2022).
- 13 New Economy Project and the Center for Urban Pedagogy, Change it up!: How Banks Change Neighborhoods and the Economy, <https://www.neweconomynyc.org/resource/public-policy-poster/> (last visited June 22, 2022).
- 14 Evan Stark & Marianne Hester, Coercive control: Update and review, 25(1) VIOLENCE AGAINST WOMEN at, 81-104 (2018) <https://journals.sagepub.com/doi/full/10.1177/1077801218816191> (last visited Sept. 8, 2022).

# THERE IS NO SAFETY WITHOUT ECONOMIC SECURITY

## Factsheet

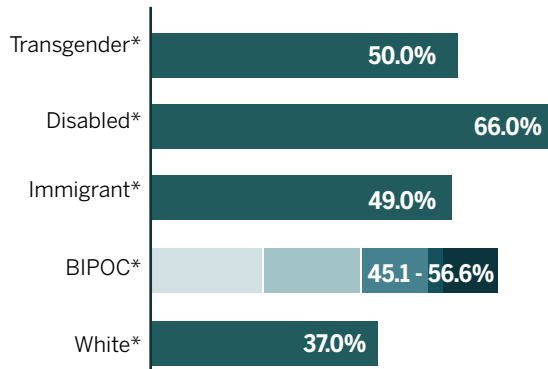


### NATIONALLY

While anyone can experience violence in an intimate relationship, those with intersecting marginalized identities have less access to the resources needed to direct the course of their own safety and well-being.

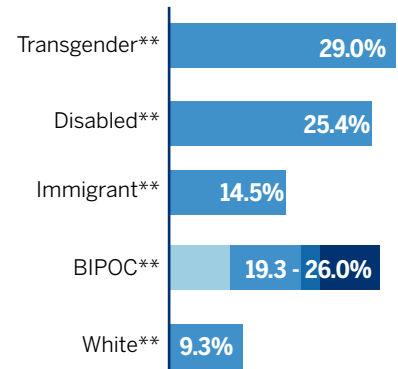
This is evidenced by research showing that poverty strongly correlates with higher rates of violence, and those on the social margins are much more likely to experience both.

### RATES OF INTIMATE PARTNER VIOLENCE BY IDENTITY FACTOR



\*Data for women-identified individuals

### RATES OF POVERTY BY IDENTITY FACTORS



\*\*Data includes all genders

See endnotes in main report for sources. Also see [CSAJ's Atlas, p38](#)

### NEW YORK CITY, DURING COVID-19

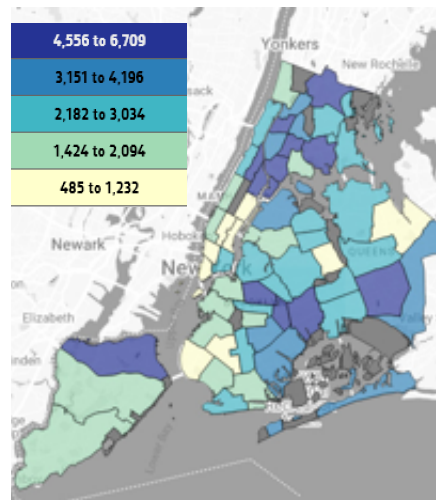
National trends are similar in NYC. We see this evidenced not only by place-based data on IPV and Poverty, but by the increasing utilization of informal and economic services compared to decreasing use of law enforcement:

In 2020, reports of violence to NYPD **fell** and have been falling since 2018, while reports to (non-systems) NYC Hotline **increased 21-fold**.

Beyond traditional public assistance, the Mayor's Office to Combat Gender Based Violence disbursed nearly **half a million dollars to survivors**.

### DOMESTIC INCIDENT REPORTS BY NYC NEIGHBORHOOD

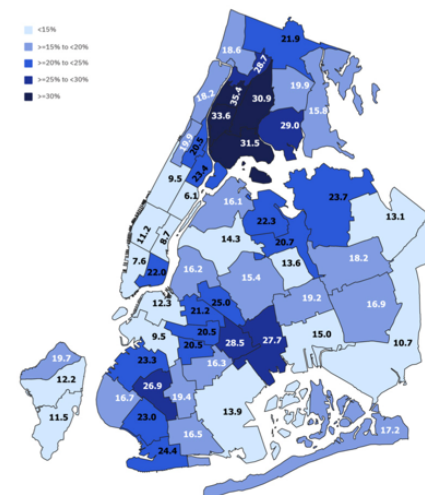
Total calls to NYPD in 2020 = 233,006 (105,781 were IPV-related)



Source: Keeping Track Online, Domestic Incident Reports: Total; Community District; Number; 2020 (2022) <https://data.cccnewyork.org/data/map/1347/domestic-incident-reports#1347/a/3/1578/99/a/a> (last visited September 9, 2022)

### POVERTY RATE BY NYC NEIGHBORHOOD

Citywide rate in 2015-2019 = 19.5%



The City of New York, Mayor's Office for Economic Opportunity, New York City Government Poverty Measure 2019 (2021) [https://www1.nyc.gov/assets/opportunity/pdf/21\\_poverty\\_measure\\_report.pdf](https://www1.nyc.gov/assets/opportunity/pdf/21_poverty_measure_report.pdf) at 14.

# THE ECONOMIC RIPPLE EFFECT OF VIOLENCE IN NYC



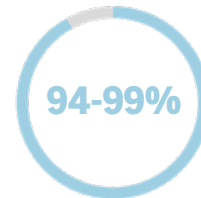
**RIPPLE 1: Individual risks of abuse increase for those marginalized by virtue of race, class, gender identity, sexuality, immigration status, disability, and other identity factors. And nearly all survivors experience economic abuse.**<sup>1,2</sup>



of all women experience intimate partner violence<sup>3</sup>



immigrant, poor, transgender, BIPOC, and disabled people are nearly TWICE as likely to experience IPV<sup>4</sup>

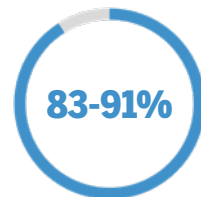


of IPV survivors experience economic abuse<sup>5</sup>



**RIPPLE 2: Individual risks of violence were compounded by the economic impacts of COVID-19<sup>6</sup>**

\*differed from national top-5 findings  
\*\*higher than national findings



of NYC advocates said survivors had trouble with...



paying bills



lost jobs or income



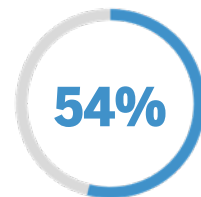
child custody\*



getting or keeping public benefits\*



getting stimulus checks\*



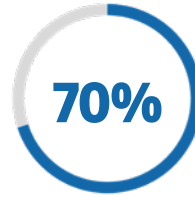
said increased acts of xenophobia, racism, and discrimination impacted safety\*\*



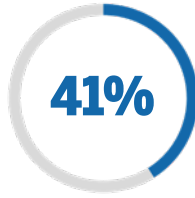
### RIPPLE 3: The economic impacts of COVID-19 on survivors are compounded by long-standing community and service barriers in NYC



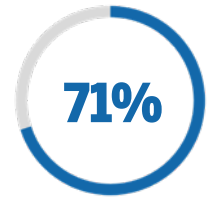
In 2018, 30% of survivors receiving domestic violence-related legal help also had a **consumer debt** legal issue<sup>7</sup>



Between 2015-2018, 70% of those killed by an intimate partner **sought or received public benefits**<sup>9</sup>



In 2018, 41% of families entering **homeless shelters** cite DV as the cause (a 37% increase from 2014)<sup>8</sup>



During COVID-19 (2020), 71% of advocates reported **survivors feared seeking help** for abuse and/or COVID-19 due to identify factors (NYC specific)<sup>10</sup>



### RIPPLE 4: And these service and structural barriers to safety compound across the lifecourse<sup>11</sup>

**During the relationship**



46%\* advocates say **partners** deplete survivors' resources & exploit systems

**When leaving or safety seeking**



46% advocates say **shelter and housing** systems are barriers

**In the short-term**



35% advocates say **the volatility of public benefits** is a barrier

**Across the lifecourse**



57% advocates say **Systems involvement & immigration, consumer, and/or criminal legal systems** are barriers

To interrupt the economic ripple effect of violence facing survivors in NYC, we must address the deep-seated inequities and rippling consequences of:

**COERCED DEBT**

**PUBLIC BENEFITS**

**SHELTER & HOUSING SYSTEMS**

**SURVIVOR EXCLUSION FROM ECONOMIC OPPORTUNITY**



# ENDNOTES

- 1 See sources at p13.
- 2 Adrienne E. Adams, et. al., The Frequency, Nature, and Effects of Coerced Debt Among a National Sample of Women Seeking Help for Intimate Partner Violence, 19(1) VIOLENCE AGAINST WOMEN at 1, 7 (2019).
- 3 National Center of Injury Prevention and Control: Division of Violence Prevention, The National Intimate Partner & Sexual Violence Survey: 2010-2012 State Report (2017) <https://www.cdc.gov/violenceprevention/pdf/NISVS-StateReportBook.pdf>
- 4 See sources at p13.
- 5 National Network to End Domestic Violence, Domestic Violence, Housing, and Homelessness (n.d.) [https://nnedv.org/wp-content/uploads/2019/07/Library\\_TH\\_2018\\_DV\\_Housing\\_Homelessness.pdf](https://nnedv.org/wp-content/uploads/2019/07/Library_TH_2018_DV_Housing_Homelessness.pdf) (last visited September 9, 2022)
- 6 NYC-specific analysis from e.g. Sara Wee & Adrienne Adams, Economic Impact of COVID-19 on Domestic & Sexual Violence Survivors Survey: A Data Dashboard for the Anti-Violence Field, Center for Survivor Agency & Justice (2021) [https://public.tableau.com/app/profile/sara.wee/viz/CSAJ-EconomicImpactofCOVI/DonDVSASurvivorsSurvey\\_16184388485340/Story1](https://public.tableau.com/app/profile/sara.wee/viz/CSAJ-EconomicImpactofCOVI/DonDVSASurvivorsSurvey_16184388485340/Story1)
- 7 Domestic Violence & Consumer Law Working Group, Denied! How Economic Abuse Perpetuates Homelessness for Domestic Violence Survivors (2018) [https://www.fordham.edu/download/downloads/id/11883/denied\\_how\\_economic\\_abuse\\_perpetuates\\_homelessness\\_for\\_domestic\\_violence\\_survivors.pdf](https://www.fordham.edu/download/downloads/id/11883/denied_how_economic_abuse_perpetuates_homelessness_for_domestic_violence_survivors.pdf) (last visited June 17, 2022).
- 8 New York City Comptroller Housing Survivors: How New York City Can Increase Housing Stability for Survivors of Domestic Violence (2019) <https://comptroller.nyc.gov/reports/housing-survivors/> (last visited Sept. 8, 2022)
- 9 New York City Mayor's Office to End Gender-Based Violence, New York City Domestic Violence Fatality Review Committee: 2019 Annual Report (2020): [https://www1.nyc.gov/assets/ocdv/downloads/pdf/2019\\_frc\\_annual\\_report\\_final.pdf](https://www1.nyc.gov/assets/ocdv/downloads/pdf/2019_frc_annual_report_final.pdf) (last visited Sept. 8, 2022).
- 10 See Sara Wee & Adrienne Adams at supra note 6
- 11 Sara Wee & Erika Sussman, The Economic Advocacy for Survivors Project: Final Project Report & Recommendations (2019) Center for Survivor Agency & Justice for New York City Human Resources Administration (unpublished, available upon request at [info@csaj.org](mailto:info@csaj.org))

# A SURVIVOR-CENTERED VISION FOR ECONOMIC JUSTICE, EQUITY, & SOLIDARITY

The “economic ripple effect of violence” in the [factsheet](#) illustrates the current landscape which survivors must navigate -- a world where abuse and poverty converge into endless traps and hurdles. In contrast to this, survivors we spoke to in NYC proposed an alternative, positive ripple effect, which offers a vision of a new NYC landscape.

***The survivors we spoke to proposed a vision for economic equity and solidarity in NYC -- ideas which will ripple out into new possibilities, opportunities, and choices.***

## SURVIVORS’ VISION: FROM CASCADING CONSEQUENCES TO RIPPLING POSSIBILITIES



\*Chart is illustrative, not comprehensive. All points are direct from notes, transcripts, or paraphrased to represent themes from calls.

# POLICY PRIORITY AREAS

Following survivors' vision of an equitable economic ripple effect, and based on common recommendations from advocates, attorneys, and survivors in all visioning calls, our platform for survivor economic equity falls into four categories

- 1. Advance equitable responses and resources for gender-based violence survivors:** Multiple, robust, flexible, low-barrier resources and services must be available and provided to ALL survivors.
- 2. Place survivor equity and solidarity at the center of City & State economic development:** Survivors' principles of care, coordination, and community building should be centered in New York City and State plans for economic development.
- 3. Dismantle deeply ingrained racist systems and practices in our institutions and invest in new ideas:** Survivors want better coordinated, accessible, and trauma-informed services and supports. While system reforms are possible, they require systems leaders to acknowledge and contend with institutionalized racism that result in modern day barriers. New investments, directly to survivors, their communities, and survivor-led ideas, are also required.
- 4. Engage survivors in government policy and planning:** "We know what we need," survivors said during the visioning calls. And yet survivors are rarely brought in to advise programming, economic or social policy, budgeting, etc. Survivors should be engaged and treated as critical leaders.

***"We all count, we have a say. There is equality and comradeship in our community."***

***— a survivor visioning call participant***

# KEY POLICY OUTCOMES

## **Advance equitable responses and resources for gender-based violence survivors.**

- Survivors have multiple pathways to forgive, buy-off, pay, and/or remedy coerced debt, and repair credit reports. This may include: Debt buying, debt forgiveness programs, loan pools to pay survivor debts, fund and expand consumer legal advocacy and debt defense, and re-regulation of consumer industries.
- No survivor is denied safe housing in their preferred community due to damaged credit, use of city vouchers/programs, history of incarceration, gender identity, or immigration status.
- All survivors hear about and utilize public benefits and direct funding programs, regardless of race, immigration status, English proficiency, gender identity, criminal history, employment status, whether or not they are actively fleeing an abusive situation or housing/shelter status.
- Funds received under TANF, SNAP, MA, WIC, and other public benefits rules are exempted as income for housing or program eligibility.
- Survivors living with abusive partners are not denied public benefits, Medicaid, or other resources due to risks of fraud, assets/income of the partner, or limited access to or restricted use of digital tools.
- When survivors need housing, income, childcare, and consumer legal assistance from City programs, the process, systems, portals, and case management system are simple, coordinated, fast, and can be modified to meet individual needs. And all City employees have competency in trauma-informed care through a racial, economic, and gender justice lens.
- Direct advocacy organizations -- especially those that are survivor-, BIPOC-, immigrant-, and LGBTQ+-led -- are fully funded, staffed, and have operating capacity to support survivors and their communities in accessing funds, navigating new or changed government programs, and addressing long-term issues of housing and coerced debt legal matters.
- Advocates and attorneys working with low-income survivors (many of whom are also survivors) are paid a living wage, and there is greater pay parity within organizations, between domestic violence and gender-based violence programs and other direct service industries, and between government and non-profit, non-governmental advocates/staff.

## **Place survivor equity and solidarity at the center of City & State economic development.**

- NYC funds survivors/communities directly to build alternatives to generating income and economic security. Funding and programs are not limited to worker cooperatives, but include things like: babysitting/childcare coops, urban homesteading or alternative use of commercial buildings, building loan pools to pay survivor coerced debt, mutual aid, alternative financial systems, holistic care, and healing cooperatives.
- There are viable alternatives to savings and credit: Examples include, but are not limited to, survivor dedicated loan products (like for DACA), community based financial institutions (like credit unions, public banking), alternative credit reporting systems-scores. Consideration for population versus neighborhood focus should be taken.
- Multiple forms of direct, low-barrier, and flexible funding (cash assistance) are available to survivors to secure safety on their own terms.
- Survivors inform development priorities and are involved in advocacy efforts.

## Dismantle deeply ingrained racist systems and practices in our institutions and invest in new ideas.

- Survivors and their communities are not penalized, fined, or criminalized for engaging in survival and informal economies (from food vending to sex work). Instead, protections and supports exist as in any other employment context.
- Survivors are not required to contact police, file a police report, or utilize the criminal justice system to access economic resources for their safety or to repair the financial harm of economic abuse, including disputing information on their credit reports and defending themselves in consumer debt lawsuits
- Parent peer support is removed from Adult & Child Services (ACS) and placed in community-driven models of care. Survivors' mental health needs are understood in the context of violence, provided for, and do not place them at undue risk of losing their children in ACS cases. Parents need resources from job searching, parenting and childcare, to mental health support that are separate from child removal/protection.
- Delink housing and public benefits systems and build programs and investments for flexible cash assistance, housing, and other economic development programs outside of overly bureaucratic systems.

## Engage survivors in government policy and planning.

- Survivors and their communities are actively engaged in and regularly inform decision-making on city policy, funding, and programming on matters that impact their safety and economic well-being (especially HRA, NYCHA, ACS, NYPD).
- Political candidates and elected officials come from, represent, engage, talk about, commit to, fund, and develop creative policy by and for survivors from multiply marginalized communities.

## LIFTING UP SURVIVOR- & COMMUNITY-LED INITIATIVES

This report and issue briefs offer a gender justice advocates' lens to complex racial and economic justice issues, on which other initiatives have long been advocating for radical change. We are advocates and attorneys who: work directly with survivors, represent diverse intersecting identities and are belong to many communities. We developed and committed to [shared values](#) and practices of survivor-centered advocacy. We are also students of these issues, and so commit to continuing to learn and explore through the expertise of survivors, communities, programs, and initiatives who have been creating economies rooted in solidarity for years.

This includes, but is not limited to:

- Center for Survivor Agency & Justice: [The Economic Ripple Effect of IPV: Building Partnerships for Systemic Change](#); [Accounting for Survivors' Economic Security: An Atlas](#); The Economic Impact of COVID-19 on Survivors ([Data Dashboard](#) and [Recommendations](#))
- Coalition for the Homeless, [State of the Homeless 2022](#) (and previous years)
- [The Cooperative Economics Alliance of New York City](#) (CEANYC)

- [Denied! How Economic Abuse Perpetuates Homelessness for Domestic Violence Survivors](#), Report & Recommendations from the Domestic Violence & Consumer Law Working Group
- [The Downstate Coalition for Crime Victims](#), Legislative & Racial Justice Committees
- FreeFrom, [Prioritizing Financial Security in the Movement to End IPV: A Roadmap](#) and [Survivors Know Best: How to Disrupt IPV During COVID-19 and Beyond](#)
- National Coalition of Anti-Violence Projects (NCAVP), [Lesbian, Gay, Bisexual, Transgender, Queer and HIV-Affected Hate and Intimate Partner Violence in 2017, Report](#) (and other Crisis of Hate Reports, [here](#))
- NCAVP's [Platform to End Violence Against LGBT Communities, 2017 Release](#)
- New Economy Project, [New York State Community Equity Agenda](#)
- Anti-Violence Project, [Individual Struggles, Widespread Injustice: Trans and Gender Non-Conforming Peoples' Experiences of Systemic Employment Discrimination in New York City](#)
- The policy platform developed by the [New York City Network of Worker Cooperatives](#). In particular, the recommendations offered by survivors from our calls echo the policy priorities of: Direct Financial Support, Education & Technical Assistance, and Movements for Racial & Immigrant Justice.
- [Report from the Special Advisory on Equal Justice in the New York State Courts](#) (on institutional racism in the courts)
- [SolidarityNYC](#) and the principles and practices in its ["Growing a Resilient City," 2013 Report](#).
- Survived & Punished, [Research & Policy Analysis Publications](#)
- [Time's Up, Pay Up: Gender and Racial Inequity During Crisis: The Pay Gap](#)
- [Urban Justice Center, Street Vendor Project](#)

What or who are we missing? Do you see an opportunity for alliance with other groups? Want to connect and sync efforts with us? Let us know by emailing: [nyc\\_survivor\\_ej@csaj.org](mailto:nyc_survivor_ej@csaj.org).

# ISSUE BRIEFS & RECOMMENDATIONS

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**COERCED DEBT**



**HOUSING**



**PUBLIC BENEFITS**



**SOLIDARITY  
ECONOMY**

The four issue briefs that follow are anchored in the six visioning calls and generated recommendations that cut across the policy priorities above. Each issue brief is a 3-5 page summary of the topic and list of specific recommendations offered by survivors and advocates from the visioning calls.

The four issue areas are complex in their own right and the briefs are not meant to distill the entire history or complexity of each topic. Rather, their purpose is to illuminate current systems barriers and offer advocate- and survivor-informed solutions and changes to policy, programs, budgets, regulation, and legislation.

## CALL TO ACTION

We need a new vision of economic equity for survivors in NYC. And for City agencies, elected officials, and policy makers who have the will to take bold action toward change.

Survivors and community-based advocates from across New York City shared a new vision. We need partners to join us and City and elected officials to champion change.

***Do you support this vision for survivor economic equity? Show your commitment by adding your signature at the link below.***

***Join Our Call-To-Action***

# COERCED DEBT

## ISSUE BRIEF

Nearly all survivors of intimate partner violence (94-99%) report experiencing economic abuse as part of their relationship, and studies show that 52% experience coerced or fraudulent debt.<sup>1</sup> In New York City, more than one in three survivors who seek domestic violence-related legal services also have a consumer debt issue.<sup>2</sup> Coerced debt refers to “all nonconsensual, credit-related transactions that occur in a violent relationship.” This includes debt that an abusive partner or another harm-doer takes out in the survivor’s name without their knowledge or consent (“fraudulent transactions”), or debt that they pressure, threaten, or manipulate a survivor into taking out in their own name (“coercive transactions”).<sup>3</sup> While coerced debt

occurs and has been primarily studied in intimate partnerships, it also occurs in other abusive relationships of trust such as between a child and their parent or guardian, or an elderly or person with disabilities and their caretaker, or instances of trafficking. It is a particular form of abuse that creates a cascade of other economic consequences throughout a lifetime.

*“One of the things that make it so hard to get a place to live is that they check your credit. Just imagine someone who’s been through domestic violence, who’s suffering from trauma and whose partner had all the money. How is she going to find a safe place to live?”*

—survivor from visioning call

### **A cascade of economic consequences.**

Coerced debt has a traumatic impact that lasts long after abuse ends and restricts access to resources needed for safety regardless of

whether a survivor leaves or stays in a relationship. For example, 46% of survivors report their credit is damaged as a result of interpersonal violence (and another 14% were “not sure”), with implications for housing, employment, and access to other resources.<sup>4</sup> The debt loads and credit implications are profound in their own right, but consumer debt judgments may then lead to wage garnishment and bank account restraint. This compounding harm leaves survivors unable to afford immediate basic needs or future resources. According to a survey of callers to the National Domestic Violence Hotline, 73% stayed in abusive relationships longer because they were concerned about financially supporting themselves or their children.<sup>5</sup>

**Limited advocacy and legal remedies.** Coerced debt is difficult to identify and even harder to address, which places a disparate impact on those from marginalized communities who face particular barriers to financial protection and the legal advocacy often required to relieve even some of the damage of coerced debt. For example, 48% of survivors report not having access to important financial information



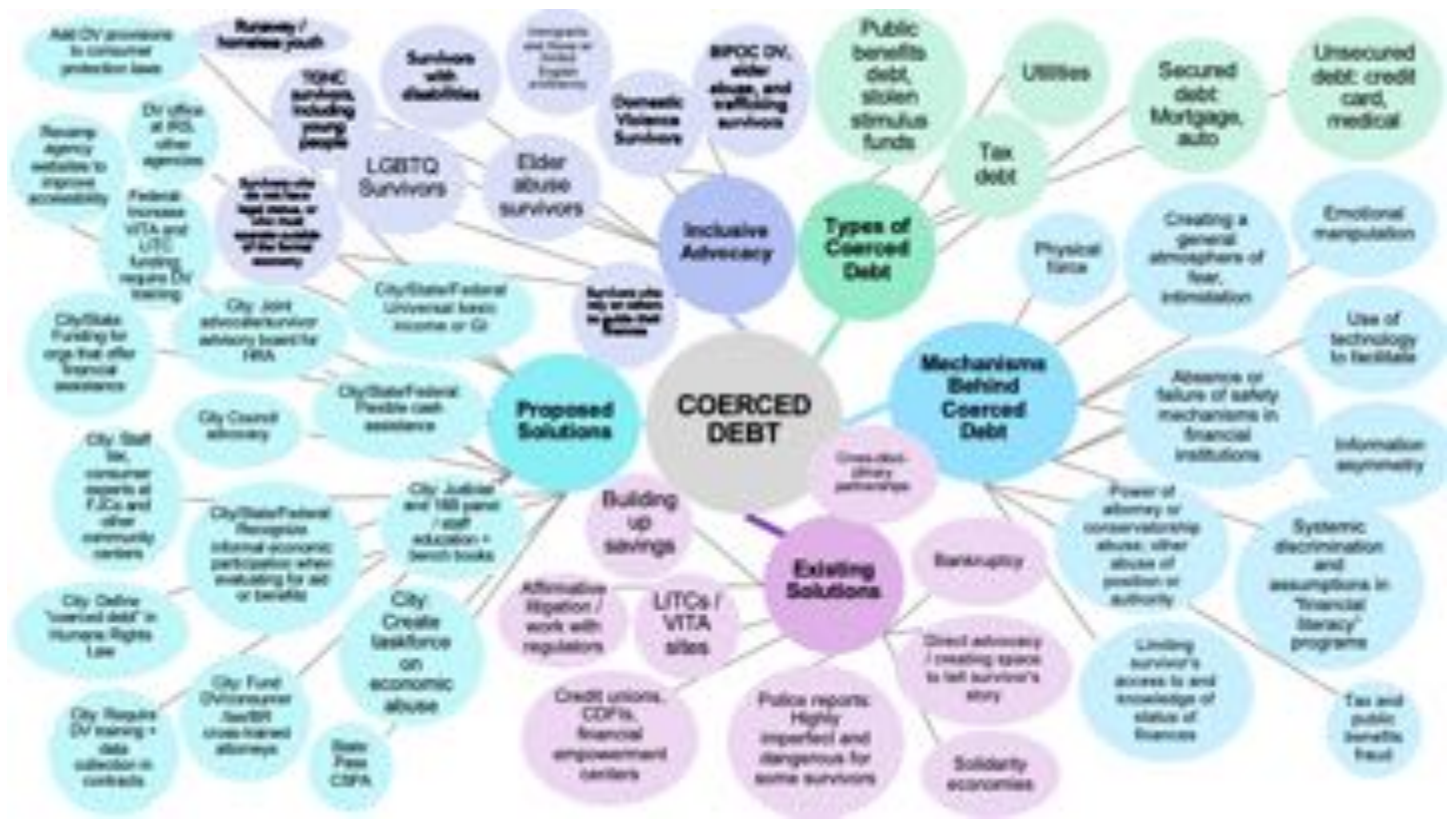
in addition to experiencing coerced debt.<sup>6</sup> And 62% of those who experience fraudulent transactions only learn about the coerced debt via bills or notices from debt collectors.<sup>7</sup> Direct advocates and attorneys may also struggle to identify and address coerced debt. In a 2012 national needs assessment, the vast majority of domestic violence advocates and attorneys asked survivors they work with about their fear of retaliation or risk of physical abuse (83%), but less than half (45%) routinely asked if they were coerced into signing documents or other indicators of economic abuse and coerced debt.<sup>8</sup> While advocates from New York City and the surrounding areas have built a robust network for DV and consumer law cross-training and referrals, additional funding for consumer legal resources for survivors is urgently needed.

**Systems retraumatize rather than remedy coerced debt.** While great strides have been made in survivor centered economic advocacy since 2012, coerced debt is difficult to remedy, even when identified. In a visioning call in November 2021 with twenty-four advocates representing 15 organizations mainly in New York City, advocates identified numerous systemic barriers to recovery from coerced debt.<sup>9</sup> Our deregulated consumer financial system places the onus of remedying coerced debt almost entirely upon individual survivors who are, in fact, the victims of fraud or coercion -- survivors are seeking healing, but instead face additional trauma. Survivors must navigate multiple bureaucratic systems (from credit agencies, to the IRS, public benefits, and the NYPD) that are not only unhelpful, but victim-blaming and re-traumatizing with long-standing racialized, gendered, homophobic, and anti-immigrant structures. For example, financial institutions require survivors to file identity theft reports to police who scoff at or even mock their situation, or who believe that fraud cannot take place between partners or spouses or is a “household” or “civil” matter, and who regularly refuse to take the report; creditors and banks are patronizing and make assumptions about access to money and household make-up; landlords and public benefits workers act as gatekeepers rather than bridges to immediate resources; and civil and criminal court judges alike deem low-income survivors as “unfit” or personally irresponsible rather than understanding and adjudicating the power and abuse dynamics in all types of relationships. In addition, survivors then face abusive debt collection practices, receive default judgments due to not receiving or not having access to financial or court notifications, and may require legal services that are out of reach to many low-income and multiply marginalized people.

**The impact of deregulated consumer financial systems.** Even with the support of survivor-centered legal advocacy, federal, state, and city consumer protection laws largely fail to address the specific needs and circumstances of economic abuse survivors. Unless a harmful partner or person’s actions fit neatly within the narrow definition of identity theft, survivors cannot claim coerced debt as a defense in a consumer debt case or allege that an abuser has committed an offense of coerced debt against them in a criminal, family court, or matrimonial matter. Laws and regulations are needed to expand consumer rights and protections to survivors of gender-based violence, including by defining economic abuse and coerced debt and placing a greater onus on financial institutions to detect and remedy them, as they already do with money laundering and other financial crimes.

We commend the CFPB and federal and state legislatures for certain reforms implemented in mid-2022, while drafting this report: Pursuant to the recently enacted Debt Bondage Repair Act<sup>10</sup>, the Consumer Financial Protection Bureau amended Regulation V, which implements the Fair Credit Reporting Act<sup>11</sup>, to require consumer reporting agencies to block the reporting of a consumer’s adverse information that is the result of trafficking<sup>12</sup>. This protection does not yet extend to survivors of other forms of economic abuse or coerced debt, and we encourage further legislation and rulemaking in this area. New York State enacted legislation adding coerced debt as a type of identity theft and requiring financial institutions to accept Federal Trade Commission identity theft reports in lieu of police reports to trigger identity theft investigations and as documentation of identity theft.<sup>13</sup>

# Coerced Debt Systems Map



**From cascading consequences to unleashing opportunity.** Advocates agreed that solutions must center the most marginalized and underserved communities including people with disabilities, youth, elderly individuals, immigrants, sex workers, and LGBTQ people. Services must also be accessible, holistic and attentive to survivors’ needs – from greater transparency in agencies like HRA, to greater access to legal, social and tax preparation services. Legal remedies must be clear and responsive, and financial institutions must be held accountable.

## RECOMMENDATIONS TO ADDRESS COERCED DEBT

For survivors of coerced debt to achieve financial security and end this form of abuse that continues long after separation from the abuser, structural reforms are needed at the local, state, and federal level.

Also see the [housing](#), [public benefits](#), and [solidarity economy](#) briefs for recommendations that sit at the nexus of coerced debt and these issues.

## Survivor recommendations:

- Create multiple pathways to forgive, buy-off, or pay survivors' debt burden
- Build alternatives to savings and credit
- Support partnership building between legal, advocacy, and solidarity economy networks
- Remove credit checks from housing

## Advocate recommendations:<sup>14</sup>

- Fund and expand consumer, tax, and bankruptcy legal services specifically geared toward survivors.<sup>15</sup> (NY City and State programs may be needed)
- Create and fund unrestricted cash assistance programs for survivors<sup>16</sup> - direct to survivors and communities and expanded funds to advocacy organizations - especially survivor-led and culturally specific - to provide economic advocacy and/or help access or administer funds. (NY City and State programs may be needed)
- Provide funding to staff consumer, tax and bankruptcy advocates and attorneys at the Family Justice Centers as well as at community centers in all districts.
- Fund survivor-led coerced debt support and advocacy groups
- Fund interdisciplinary training for domestic violence, consumer debt, and tax advocates
- Develop and fund training programs for the judiciary, 18B panel, NYPD, HRA, and other city agencies or entities on coerced debt and economic abuse
- Require domestic violence and elder abuse funding grantees to collect and report information about consumer debt, coerced debt, and economic abuse during intake, and provide funding and training to help grantees modify client management systems/databases, collect this data, and make referrals for assistance.

## Additional recommendations:

- NOTE: Most of these are state-level recommendations, however we suggest creating a comprehensive plan for city, state, and federal legislative and policy change or creation to advance survivors' specific coerced debt protections.
- Expand funding and create standards in residential and non-residential domestic violence programs to ensure: staff are trained on issues of economic abuse and coerced debt, survivors are appropriately screened for economic abuse and provided appropriate legal and other services. Funding levels should allow for training, hiring of specialized consumer lawyers, and/or other innovative models. Expanded mandates require expanded funding.
- Define "Coerced Debt" and "Economic Abuse" in the New York State Social Services Law, Family Court Act, Penal Code, and General Business Law.
- Enact state legislation to create a coerced debt defense in consumer credit actions.
- Strengthen legislation that prohibits collecting on coerced debt and reporting it to consumer reporting agencies by adding safety protocols and lowering barriers by eliminating investigations or placing a greater onus on financial institutions in investigations.

# ENDNOTES

- 1 Adrienne E. Adams, et. al., supra note 10 at 1, 7.
- 2 Domestic Violence & Consumer Law Working Group, supra note 11.
- 3 Angela Littwin, Coerced Debt: The Role of Consumer Credit in Domestic Violence, 100 CALIF. LAW REVIEW 951, 954 (2012).
- 4 Adrienne E. Adams, et. al., supra note 10 at 8.
- 5 Id. See also Cynthia Hess and Alona Del Rosario, A Survey on the Impact of Intimate Partner Violence on Survivor's Education, Careers, and Economic Security, at 8, 33 (2018)[https://iwpr.org/wp-content/uploads/2020/09/C475\\_IWPR-Report-Dreams-Deferred.pdf](https://iwpr.org/wp-content/uploads/2020/09/C475_IWPR-Report-Dreams-Deferred.pdf) (last visited June 21, 2022).
- 6 Angela Littwin, supra note 17 at 954 See also Coerced Debt Study at 3..
- 7 Adrienne E. Adams, et. al., supra note 10 at 8.
- 8 Center for Survivor Agency and Justice, Achieving Economic Justice of Domestic Violence and Sexual Assault Survivors: A National Needs Assessment (2012), <https://csaj.org/wp-content/uploads/2021/10/Achieving-Economic-Justice-for-Domestic-Violence-Survivors-A-National-Needs-Assessment.pdf> (last visited Sept. 8, 2022).
- 9 Participants represented a wide range of fields, including shelter, housing, and frontline services for DV and trafficking survivors; consumer law; family and matrimonial law; elder law; tax law; public benefits; and community organizing.
- 10 H.R.2332 (introduced in the 117th Cong. on Apr. 1, 2021), S.2040 (introduced in the 117th Cong. on Jun. 14, 2021); 15 U.S.C. s. 1681c-3.
- 11 15 U.S.C. s. 1681 et. seq.
- 12 12 C.F.R. s. 1022.142.
- 13 N.Y. Gen Bus. 604-a.
- 14 For additional data on economic abuse in New York City and policy recommendations, see the Denied! Report, Domestic Violence & Consumer Law Working Group supra note 11.
- 15 Tax fraud is another type of economic abuse that either leaves survivors with IRS debt or deprives them of important supplemental income disbursed through the income tax system, e.g., the Earned Income Tax Credit, child dependent tax credits, and stimulus checks. See Teal Inzunza, Tax Professionals Must Look Out for Economic Abuse Each Tax Season, BLOOMBERG TAX (March 31, 2022), <https://news.bloomberglaw.com/financial-accounting/tax-professionals-must-look-out-for-economic-abuse-each-tax-season> (last visited Sept. 8, 2022).
- 16 For survivor-led, survivor-focused programs, see FreeFrom, Trust Survivors: Building an Effective and Inclusive Cash Assistance Program <https://www.freefrom.org/wp-content/uploads/2021/06/TrustSurvivorsReport.pdf> (last visited Jan. 24, 2022)

# HOUSING

## ISSUE BRIEF

NYC survivors of domestic, intimate partner, and gender-based violence who seek to obtain or maintain permanent, safe housing face significant difficulties originating not only from the abuse they experience, but also inadequate housing solutions and programs in NYC. At the heart of our recommendations, we commit to the value of housing as a human right. Attaining housing access for all is essential to ending gender-based and domestic violence.

Leaving an abusive relationship is the most dangerous, and often lethal, time in the relationship. Despite this danger, domestic violence is consistently the leading reason that people enter NYC homeless shelters -- 41% of those in homeless shelters cite it.<sup>1</sup> For those survivors who choose to leave and for those who know it is safer to stay, housing is a major factor in their safety and stability in the future. The economic nature of abuse creates multiple and significant barriers to finding housing. As mentioned in the Coerced Debt brief, 76% of survivors experience damaged credit or evictions as a result of abuse, which in turn will affect their ability to obtain housing in the future.<sup>2</sup> This, in conjunction with exclusionary policies of housing programs, presents critical barriers to leaving shelter and obtaining long-term stability and healing. Survivors who would like to leave abusive situations but do not want to go into shelter have few, if any, resources available to them. The by-products of these failings result in disproportionate, long-term impacts on the lives of Black, LGBTQ (particularly trans folks), foster youth, justice-involved, sex workers, elderly and undocumented survivors.<sup>3</sup>

New York City has programs to address homelessness, domestic violence, and the intersections, from Family Homeless & Eviction Prevention Program (FHEPS), to City FHEPS, Emergency Housing Voucher Program, NYCHA and supportive housing, housing connect, and existing HPD policies and pilot projects. We commend the city on the extensive and progressive programs that are currently offered for homeless and struggling New Yorkers. However, many of these programs are well-kept secrets and strongly gate-kept, meaning, all, or nearly all, are actually impossible for survivors to navigate or apply for without the assistance of an advocate. Historically, survivors had little to no input into how these programs were created, run, or carried out. Program eligibility often limits which survivors can access which program, legal tenant screening processes permit landlords to deny survivors with poor credit histories regardless of their survivor status,

*"I have an idea, a crazy one or a dream. I would like it if there was... I wish there was some kind of community only for people in distress. For example, women with small children can live in a big building that also has daycare, big laundries, and they can take turns to work there."*

—survivor from visioning call, Jan 2022

landlord discrimination and exploitation are rampant (from sexual harassment to scamming survivors into paying application fees for apartments that are not actually available), and survivor rent portions are costly and prohibitive.

Current shelter and housing programs are structured in ways that cannot accommodate the immediate safety concerns of survivors and also have deeper racialized, homophobic, and anti-immigrant roots that function to exclude many of the most vulnerable survivors in NYC, including undocumented survivors. As survivors live through the economic devastation of the COVID-19 pandemic, it is imperative that the City make the changes necessary to ensure that every New Yorker, particularly our most vulnerable neighbors, can move forward with safe and accessible housing options.

## Housing Systems Map



# RECOMMENDATIONS FOR SURVIVOR HOUSING EQUITY

***“Reserve a percentage of a building for subsidized housing. It would be great if the government, because it is the government who is in charge, reserved some of those houses for victims of domestic violence.”***

## ***— survivor from visioning call***

### **Survivor recommendations:**

- All survivors are eligible for shelter or housing assistance, do not have to receive other government assistance to qualify, and do not get stuck in shelter systems due to immigration, incarceration, or other impacts of systems involvement.
- Expand public benefits to immigrant survivors.
- Remove credit checks from housing applications.
- Provide cash instead of vouchers.
- Designate buildings and help fund “communities of care” beyond shelter — spaces where they can live, work, share childcare, and support each other.
- Expand housing options and the types of subsidies (eg. consider urban homesteading models).

### **Advocate recommendations:**

- Housing programs for survivors must be **customizable** for each survivor & provide **options** allowing survivors to select the level of care that they need. We would recommend that these take place through a centralized portal & offer a variety of different options (in a community, designated building with support services, and NYCHA, etc.). This is a model already utilized by the city within the Supportive Housing system.
- **Eliminate unnecessary program eligibility requirements:**
  - » Program requirements often become barriers for survivors to qualify for specialized housing programs, often leaving them homeless or in danger. Specifically:
  - » Eliminate the requirement that applicants have an active public benefits case to qualify for housing programs;
  - » Enable individuals to self-attest to survivor “status” & not have to be fleeing an active DV/IPV situation or having to be in shelter to qualify;
  - » Streamline FHEPS B, including: Increasing the number of vouchers available to those trying to move or stay in their current housing without entering shelter, and offer more points of entry (not FJCs only).
  - » Prohibit landlords from using credit reports or tenant screening reports in evaluating survivors’ eligibility for housing;
  - » Remove asset limits.

- **Build and invest in housing and shelter programs outside of the public benefits system.** Survivors and advocates worry that building new flexible funding and housing programs within current public benefits systems will recreate similar problems. Pilot and test new funds and programs elsewhere, and ensure survivors are at the planning and implementation table.
- **Institute a housing oversight committee** (possibly through the Mayor's office and HRA) composed of advocates and survivors to provide guidance, feedback, and enact change to programs for survivors.

### Additional recommendations:

- Prioritize domestic violence for all housing options (housing connect, etc.).
- Make the safety transfer process faster and easier.
- Create dedicated programming for undocumented survivors.
- Expand upon and increase dedicated programming and housing options that are affirming for LGBTQ+ and especially trans survivors.
- Continue to develop long and permanent housing options similar to Section 8 that offer long-term support.
- Increase the number of single domestic violence shelter beds across the city.
- Decrease tenant's share of rent to 0%-15%, regardless of income.
- Create an apartment database with available and affordable housing options.

## ENDNOTES

1 New York City Comptroller, *supra* note 11.

2 Adrienne E. Adams, et. al., *supra* note 10.

3 See United States Census Bureau, *Income and Poverty in the United States: 2020* (2020) <https://www.census.gov/library/publications/2021/demo/p60-273.html> (last visited Sept. 8, 2022). See also Adam P. Romero, Shoshana K. Goldberg, & Luis A. Vasquez, *LGBT People and Housing Affordability, Discrimination, and Homelessness*, UCLA School of Law Williams Institute (2020) <https://williamsinstitute.law.ucla.edu/publications/lgbt-housing-instability/> (last visited Sept. 8, 2022)



# PUBLIC BENEFITS

## ISSUE BRIEF

***“In 2020, for every 100 families in poverty nationwide, only 21 received [Temporary Assistance for Needy Families] TANF cash assistance — down from 68 families in 1996...[T]oo few families struggling to make ends meet can access the program, and TANF’s history of racism means that it fails to reach many families in states where Black children are likelier to live.”***

### **— Center on Budget & Policy Priorities**

For many NYC residents, public benefits are an essential part of survival in this city. Without Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) public/cash assistance program, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Medicaid, or housing allowances, many individuals and families would go hungry, have no access to medical care, and go without many basic needs. Survivors, due to the nature and impact of economic abuse, have an increased need for public benefits, and require more protections, flexibility, and longer-term benefits. However, everything from eligibility requirements, to bureaucratic restrictions, low funding levels and asset limits, case management processes, and entanglement in other systems compound survivors’ hardship rather than serve as a bridge to financial stability. For every 100 poor families with children in New York State, 39 received TANF benefits in 2020. Nationally, if TANF had the same reach as the Aid to Families with Dependent Children (AFDC) program did in 1996 and earlier, 2.38 million more families would benefit.<sup>1</sup> National and state policies that reduced total funds for public benefits and increased barriers to access and maintain benefits have deep ties to anti-Black racism (read a summary of the history [here](#)). As one survivor in our visioning calls put it, “Instead of helping victims, they [the government] drag them into [another] negative and violent environment.”

During the pandemic, 1.8 million Americans received public benefits (TANF)<sup>2</sup>, including 472,695 recipients in NYC (and 1.6 million New Yorkers received SNAP)<sup>3</sup>. For decades, studies have shown that at least half of people seeking public assistance report domestic violence or other danger.<sup>4</sup> And over 75 percent of Americans receiving public benefits are children.<sup>5</sup> The New York State Office of Temporary and Disability Assistance (OTDA) acknowledges that “80% of women receiving TA may be survivors of or attempting to escape violent relationships.”<sup>6</sup> Further, between 2-in-3 and nearly 3-in-4 of partner-related homicide victims had sought or received public benefits from HRA, the agency that distributes and manages benefits.<sup>7</sup>

The goal of public benefits should be to provide direct financial assistance to offer some breathing room as survivors recover from abuse and figure out plans for long-term safety. In practice, however, public benefits are not available to those most in need, nor are they flexible or reliable (even in the short-term). The following is a lengthy but still non-exhaustive list of barriers to and additional harms survivors face from the public benefits service system, which disproportionately excludes and impacts BIPOC, LGBTQ+ and immigrant New Yorkers and keeps these survivors in poverty with few options for safety:

**Eligibility restrictions create disparities in access.** Eligibility restrictions result in many immigrant and LGBTQ+ survivors not qualifying when they have real need, especially for emergency benefits that require survivors to be in shelter. Despite expressed danger, the rate of granting waivers under the Family Violence Option (FVO) is abysmal. For example, the New York Office of Temporary & Disability Assistance reported that a total of 297,946 New Yorkers (statewide) in February 2015 were in receipt of temporary or child assistance.<sup>8</sup> However, while 18,556 indicated danger, only 9,037 FVO waivers were recorded -- a 3% FVO rate.<sup>9</sup>

**Lack of transparency in denials and fair hearings.** Many survivors are blatantly denied benefits and receive denial letters that are vague and do not state clear reasons why they have been found ineligible. This results in survivors and their families going without basic needs, like food, while they wait for a fair hearing. Survivors may experience months without benefits, waiting for initial approval or resolution to case disruptions, like fair hearings.

**Bureaucratic hurdles breed “systems churning.”** Even those who are found eligible for public benefits have had to jump through endless hoops to retain benefits and most survivors feel as if they could lose their public benefits at any moment. Getting a hold of a survivor’s case manager at HRA is often an impossible task, and the inability to reach their case worker often results in getting cut off from benefits (e.g. survivors are perceived as “no shows” or not maintaining case schedules). Ironically, maintaining public benefits also requires many meetings with case managers that are inflexible and intrusive to a survivor’s time. This means survivors must make “choices” between things like working, childcare, doing other important things for their safety, and showing up to a case meeting. Those with multiple jobs, kids, family caretaking responsibilities, in outer boroughs, and other myriad competing priorities are uniquely and disproportionately impacted. Case workers’ assumptions about “legitimate” living, family, and work arrangements or how a person should and can plan their time, plays a critical role. As a result, case management services are understood to function more as a way to cut survivors off from needed benefits rather than helping meet their needs. One advocate called it, “systems churning.”

**Case management can mirror abuse.** The traumatic experiences of survivors living in poverty are often exacerbated and compounded by public benefits administrative agencies lacking in trauma-informed customer service and survivor-focused solutions. Survivors and advocates alike complain of HRA staff and security who use abusive language, violate safety concerns, and refuse to provide valid reasons for denials. Bias or limited understanding about survivors with marginalized identities are particularly at play here, resulting not only in the deep disparities around who can receive and maintain benefits, as reported above, but also who must endure additional layers of violence and trauma along the way.

**Glitchy apps prevent effective assistance and create digital divides.** The online systems and apps for survivors and providers to get updates on their case are a great step toward all

New Yorkers having easy access to their HRA account. But, unfortunately, they are often glitchy, poorly maintained, inaccurate, lack status updates on cases, do not provide information regarding sudden changes in payment, and do not have reliable customer service support. It also creates a digital divide and adds new opportunities for abusers to control and find out about welfare cases.

**Triple threat: Few protections from and forced interaction with abusive partners, then penalized for abuse.** Domestic violence waivers to receive public benefits are difficult to apply for. The domestic violence waivers made available to help survivors access public benefits are notoriously, and ironically, difficult to apply for. This means that, for the purpose of obtaining benefits, survivors may need to continue to interact with the people who have harmed them, and who may pose a continued threat to them. Survivors may also be coerced to provide fraudulent information to government agencies as a part of the economic abuse that they experience in order to avoid worsening violence which can leave them vulnerable to termination of benefits and/or liability for benefit overpayments. HRA's solution is to restrict benefits to those still living with abusive partners or others who may commit fraud.<sup>10</sup> This ignores the economic reality many face and places the onus and liability of fraud and abuse on the survivor, with acute disparities for LGBTQ+, immigrant survivors, and those engaged in survival economy (eg. multi-generational households, roommates and co-housing, room renting, couch surfing, etc).

**The “cliff effect:” Work requirements and asset limits undermine long-term financial stability.** At their heart, public benefits programs require that survivors work toward other aspects of economic stability such as housing and employment, but they do not include mechanisms that support these efforts. Public benefits programs also include unhelpful mandates like the Back to Work Program, which is inflexible and time consuming. Asset limits mean survivors cannot save the amount of money to cover rent or afford other basic needs in NYC; if they do, they risk losing their benefits all together. Many advocates refer to this as the “cliff effect.” For example, one survivor noted: “I want to move out, but I can’t. To do so I’d have to pay \$8000 to cover a deposit plus rent. That’s a lot of money” And it’s above the allowable asset limits in New York State. In fact, fearful of losing benefits, many families feel pressure to “spend down” all savings.<sup>11,12</sup> While some survivors are able to find work, once they do, they often lose benefits that can be essential for survival, because many do not make enough to sustain themselves and their families without them.

## Public Benefits Systems Map



As currently set-up, the NYC public benefits system both denies financial assistance to survivors in need and creates additional economic hardship via case denial, poor case management, and an opaque and inaccessible fair hearing process. Disparities experienced by immigrant, LGBTQ+, and systems-involved survivors further indicate biases and residual institutional racism from past policies that remain latent within the service system. To serve as a real and meaningful bridge to safety, deep reforms are needed to undo racialized harm, prevent further discrimination, maximize eligibility, and increase public assistance to levels that promote safety and allow survivors to sustain themselves and their family. We need to reframe poverty in its proper historical and political context - the result of multiple policy decisions, rooted in racism— not an individual failing. From there, we can re-envision and restructure public benefits programs to meaningfully address it. While this is a national reckoning, New York City can position itself as a model of economic equity.

## RECOMMENDATIONS FOR EQUITABLE ACCESS TO PUBLIC BENEFITS

### Survivor recommendations:

- Expand eligibility of public benefits to immigrant and other historically marginalized survivors, including making more benefits available to those who are not in shelter.
- Provide training and reforms to ensure City services (HRA, NYCHA, ACS) are streamlined, accessible, quickly dispersed, and trauma-informed.
- Break the pipeline between public benefits and child protection services, which primarily functions to criminalize survivors' living in poverty. Instead, survivors want:
  - » Funding to create their own childcare and daycare set-ups
  - » Expand access to affordable childcare
  - » Parents need resources, from job searching and parenting to childcare, that are separate from child removal/protection. Remove parent peer support from ACS and use community-driven models of care. Similarly, at the nexus of housing and child removal, supportive housing may require mental health care, which ACS often uses against parents in child removal proceedings. \*\*See [solidarity economy brief](#) for additional recommendations from survivors.

*“They need to change the current policies, and restrictions that do not let us access the benefits, in order to solve our issues. I’d give more access to the benefits. I wish everything could be easier. That every time we ask for an aid, it could get easily approved, and we didn’t have to wait. If they could help us as soon as possible. The access to a safe place, food...and being able to work without any fear, nor discrimination, so we can move on.”*

— survivor from visioning call, December 2022

### Advocate recommendations:

- **Increase, expand, and lengthen flexible funds for survivors within and outside of the public benefits system.** This includes continuing pandemic-specific benefits (ERAP, EHV, stimulus payments, etc), delinking housing and PA systems (see [housing brief](#)), and building low-barrier, cash assistance programs outside of the public benefits system. Learn from and engage survivors in continuing and building programs similar to ENDGBV’s micro grants, FreeFrom flex funding, and many other food and cash assistance programs set-up by culturally specific and community-based programs.

- **Expand Eligibility**
  - » Expand eligibility of public benefits to immigrant survivors, including cutting wait times and distributing immediate resources to cover gaps in timing or case disruptions.
  - » Simplify the process to obtain domestic violence (DV) waivers.
  - » Ensure a faster and simpler system for survivors applying for benefits under PRUCOL.
  - » Improve and add screening questions (i.e., for many reasons, including the nature of economic abuse, survivors may not self-report as experiencing “domestic violence,” but may respond to questions about control of finances and similar abusive behaviors). Ensure that survivor-led and community-based programs drive the process to ensure a survivor-centered approach that can be implemented with fidelity. (Past efforts to improve DV screening protocols in TANF applications have continued to exclude LGBTQ+ relationships and have been poorly implemented with no additional funding to programs that help survivors apply. As a result, there are complicated process changes, but with the same problems and outcomes. Review and learn from them.)
  - » Conduct a systems audit to identify and remove unnecessary “hoops,” expand flexibility, expand eligibility, and decrease wait times.
  - » Online tutorials for how to understand benefits.
- **Increase Transparency**
  - » Ensure case processes and systems (for survivors and advocates) are accessible and transparent. Provide clear explanation of rejection or case closure reasoning and clear guidance on how to fix or re-open.
  - » Develop a survivor-centered fair hearing process (including maintaining payments while cases are under consideration, so survivors do not lose out on critical funds). Provide data reports to advocacy organizations on the fair hearing process and outcomes.
  - » Allow advocate letter for fraud cases and explore non-punitive options for fraud/overpayment (i.e., hold case conference before hearing or stopping/garnishing funds to better understand).
- **Changes to processes, systems, and requirements and offer funding and support to programs** who need to adapt, hire/train, and help survivors access and navigate new systems.
- **Create and fund an HRA Advisory Committee** staffed with advocates, survivors and local representatives to ensure the systems delivering benefits are most impactful. Cross information sharing is key to holding large city agencies, such as HRA, accountable and to provide clear and substantial feedback. This will establish transparency and accountability with an opportunity to train staff on trauma-informed care.

## Other Recommendations:

- **Change city policy to continue paying benefits until case determinations are made**, rather than stopping payment until resolved and having no repayment mandate if case is closed. Currently, benefits are cut off immediately when there is a technical glitch or there is an unexplained reinstatement, while the survivor still misses out on months of payments.
- All HRA staff and security should continue to be **trained in anti-racism and anti-oppression, DV/IPV, trauma-informed care, and culturally specific care** on a regular basis (quarterly or monthly). And enlist “in-house” survivor-employees as well as unaffiliated survivors to act as leaders and key liaisons to hold HRA staff and security accountable.
- Provide training and reforms to ensure **City services (HRA, NYCHA, ACS, DHS) are streamlined, accessible, quickly dispersed, and trauma-informed**. We encourage the City to have dedicated departments holding these agencies accountable.

- **Expand emergency benefits for survivors of hate/family violence** that makes a living space uninhabitable.
- Improve accessibility and navigation of **the ACCESS HRA online portal**.
- Create mechanisms to **address the “cliff effect”** and support economic mobility.
- HRA should enlist experts (informed and identified by the advisory board) to train staff of the effects of **coerced use of public benefits in the context of an abusive relationship**. We encourage HRA to create a better system for remedying these issues that does not further punish or traumatize a survivor in the process. We encourage HRA to listen to advocates and survivors on how best to do this (e.g. allow an advocate letter for fraud cases instead of requiring a judicial determination of fraud because such judicial rulings are rare).
- HRA should **report regular data on the use and outcomes of public benefits**. Specifically, we believe that they should report data on fair hearings, wins/losses, and the number of survivors on public benefits.

## ENDNOTES

- 1 Aditi Shrivastava & Gina Azito Thompson, TANF Cash Assistance Should Reach Millions More Families to Lessen Hardship, Center on Budget and Policy Priorities (2022) <https://www.cbpp.org/research/family-income-support/tanf-cash-assistance-should-reach-millions-more-families-to-lessen> (last visited Sept. 8, 2022).
- 2 United States Department of Health & Human Services, TANF Caseload Data 2021 (2021) <https://www.acf.hhs.gov/ofa/data/tanf-caseload-data-2021> (last visited Sept. 8, 2022).
- 3 The New York City Human Resources Administration also reports that 78,329 people received emergency assistance, and 1.6 million individuals received SNAP (978,733 households) in 2021. The average food stamp benefit amount for a family of 3 in January 2021 was \$690 (and \$790 average cash assistance). See New York City Department of Social Services Human Resources Administration, Report No. MCA40 (2022) [https://www1.nyc.gov/assets/hra/downloads/pdf/facts/hra\\_facts/2022/hra\\_facts\\_2022\\_01.pdf](https://www1.nyc.gov/assets/hra/downloads/pdf/facts/hra_facts/2022/hra_facts_2022_01.pdf) (last visited Sept. 8, 2022).
- 4 Joshua R. Est, et al. Multistate analysis of factors associated with intimate partner violence, 20 AMERICAN JOURNAL OF PREVENTIVE MEDICINE, 156-164 (2022) [https://www.researchgate.net/publication/11467191\\_Multistate\\_analysis\\_of\\_factors\\_associated\\_with\\_intimate\\_partner\\_violence\\_American\\_Journal\\_of\\_Preventive\\_Medicine\\_22\\_156-164](https://www.researchgate.net/publication/11467191_Multistate_analysis_of_factors_associated_with_intimate_partner_violence_American_Journal_of_Preventive_Medicine_22_156-164) (last visited Sept. 8, 2022).
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- 6 New York State Office of Temporary and Disability Assistance, Desk Reference for DV Screening under the Family Violence Option, 03 ADM 2 (February 24, 2003) [https://otda.ny.gov/policy/directives/2003/ADM/03\\_ADM-02.pdf](https://otda.ny.gov/policy/directives/2003/ADM/03_ADM-02.pdf) (last visited Sept. 8, 2022).
- 7 New York City Mayor's Office to End Gender-Based Violence, New York City Domestic Violence Fatality Review Committee 2020 Annual Report 11 (2020): <https://www1.nyc.gov/assets/ocdv/downloads/pdf/2020-FRC-Annual-Report.pdf> (last visited Sept. 8, 2022).
- 8 New York State Office of Temporary and Disability Assistance, Temporary and Disability Assistance Statistics February 2015, at 5, Table 1, <https://otda.ny.gov/resources/caseload/2015/2015-02-stats.pdf> (last visited Sept. 8, 2022).
- 9 New York State Office for the Prevention of Domestic Violence, New York State Domestic Violence Dashboard 2015 (2015) <https://opdv.ny.gov/system/files/documents/2021/09/opdv-dashboard-2015.pdf> (last visited Sept. 8, 2022).
- 10 These simultaneous risks mirror historical ones like 'Man in the house' rules that cut-off benefits for families, disproportionately Black ones, when a man was present, regardless of the nature of the relationship and little to no examination of contributions to the household income. See Aditi Shrivastava, A. & Gina Azito Thompson, *supra* note 35.
- 11 See, e.g. Mario Gutierrez, New York Should Eliminate Asset Limits for Public Assistance Recipients, CITY & STATE NEW YORK (Feb. 28, 2020) <https://www.cityandstateny.com/opinion/2020/02/new-york-should-eliminate-asset-limits-for-public-assistance-recipients/176336/> (last visited Sept. 8, 2022) for additional stories of New Yorker experiences with asset limits.
- 12 See Martha Moscowitz & Susan Antos, Driven into Poverty: How New York's asset test keeps people poor, Empire Justice Center (2015) <https://empirejustice.org/wp-content/uploads/2018/01/driven-into-poverty-2015.pdf> (last visited Sept. 9, 2022).

# TOWARD A SURVIVOR CENTERED SOLIDARITY ECONOMY

## ISSUE BRIEF

*“From my point of view, instead of helping the victims, [the government] drags them into another negative and violent environment.”*

*“There are many of us who know how to do many things. We can get together and show others what we can do...That could help us financially.”*

### **- Survivors from visioning call, December 2021**

For many in our communities, economic ripples may feel more like storms. Survivors are expected to find firm financial footing while living through wave after wave of abuse, poverty, racism, gender-discrimination, xenophobia, and homophobia. . Despite the reform recommendations offered in [coerced debt](#), [housing](#), and [public benefits](#) briefs, many survivors are wholly excluded from official financial, government, and legal service systems and other mainstream economic opportunities needed for financial security and long-term safety. Consider the following statistics (and see the [factsheet](#) for more):

**Disparities in violence and poverty:** People marginalized by virtue of race, immigration status, gender-identity, etc. are twice as likely (or more) to experience IPV and poverty than their cis-het, white counterparts.<sup>1</sup>

**Opting out of mainstream safety services:** In NYC, reports to police have consistently decreased<sup>2</sup> (prior to and during COVID), while calls to NYC hotlines and requests for fast financial assistance increased 21-fold during COVID.<sup>3</sup>

**Higher and unique barriers to economic resources:** In a national survey, 71% of advocates reported that BIPOC, immigrant, and LGBTQ+ survivors face disparities in health, safety, and access to resources during COVID-19.<sup>4</sup> While the vast majority of advocates reported all survivors faced challenges with income, food, and bill pay as challenges, 100% of advocates working with immigrant communities did. In addition, “trouble with social distancing” and “fear of seeking help for abuse or COVID due to identity” were among the top 5 reported challenges (also 100% reporting).

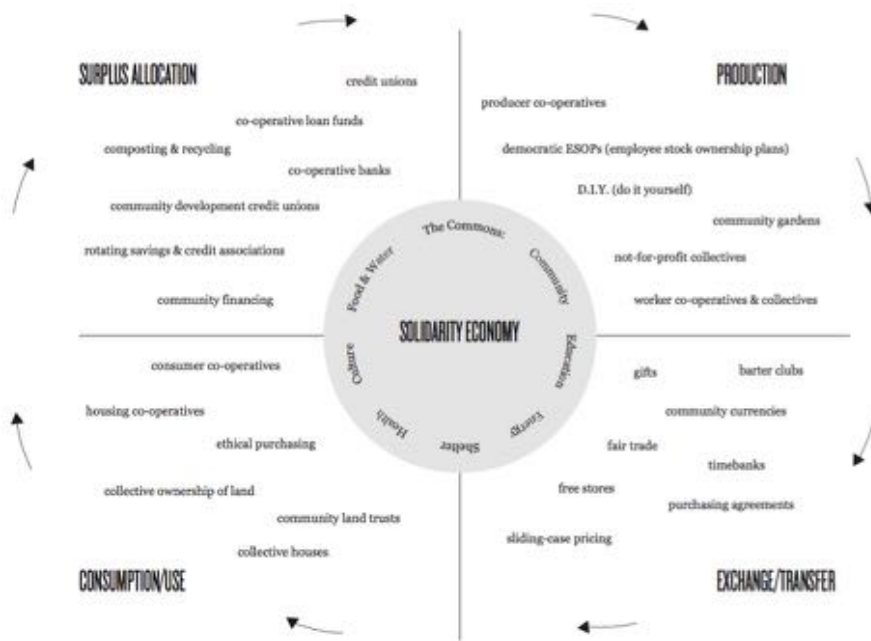
**New manifestations of historical racialized structures:** Over half of NYC advocates reported increased acts of xenophobia, racism, and discrimination as a problem during COVID.<sup>5</sup> In



2018, 57% of advocates in a pilot project said systems entanglement and barriers to address immigration, consumer, and/or criminal legal issues were the biggest barriers to safety (not abusive partners).<sup>6</sup> While the previous issue briefs identify many system, budget, and policy issues, and offer important recommendations to reform current service and legal systems, we also need to acknowledge when to reform and when to lift-up and invest in survivor- and community-driven solutions.

Survivors who participated in the visioning calls are engaged in a set of principles and practices, known as the “solidarity economy,” born out of resistance to problematic systems and a desire for connection, community, and care. **Solidarity economy is a framework built upon values of cooperation, social and racial justice, democracy, mutualism, and ecological sustainability.** They framework emerges from deep practices and relationships between community groups and neighbors that extend a single entity. Some tools used to build solidarity economies include worker co-ops, credit unions, cooperatively-managed

### Solidarity Economy Diagram (credit: SolidarityNYC)



Source: Resources: The Basics. SolidarityNYC. (n.d.). Retrieved September 9, 2022, from <http://solidaritynyc.org/#/resources>

loan funds, mutual aid networks, limited equity housing co-ops, and many more. These tools offer us opportunities to engage in solidarity economy principles and practices ([www.solidarityeconomyprinciples.org](http://www.solidarityeconomyprinciples.org)) to achieve social transformation and liberation for survivors, but solidarity economies themselves only emerge when these are linked, networked, and resourced collectively. Survivors are already benefiting from some of these tools– some in formal ways, like worker cooperatives and in the use of alternative institutions like credit unions, and others in informal ways like selling goods or providing childcare (see inserted graphic). To truly achieve justice, these will need to grow and be linked together in powerful ways that allow for survivors to self-govern and self-determine how to meet these needs.\*

We spoke to 24 Latinx survivors who are building worker cooperatives, as well as advocates and activists who are engaged in a range of solidarity economy practices in NYC. Below are key recommendations survivors had for the NYC Mayor, elected officials, and City agencies that would help build a more equitable economy in NYC; one that reflects their values of community, connection, and care, and maximizes their options for economic security.

\* Deep gratitude to the advising and contributions of Cheyenna Weber of SolidarityNYC. Members of this advocacy group are students of solidarity economy, and benefited greatly from the generous teaching, practice, connecting offered by community leaders, long-standing initiatives, and survivors with rich expertise in solidarity economy.

# RECOMMENDATIONS TOWARD A SOLIDARITY ECONOMY

Note: To the extent possible recommendations are direct quotes from survivors or consolidate multiple similar quotes. We also included notes and paraphrases from calls with advocates and activities (no transcripts were available).

## **We look to and support the leadership and expertise of communities, programs, and initiatives which have been creating economies rooted in solidarity for years.**

This includes, but is not limited to: Principles and practices from the [“Growing a Resilient City” Report from SolidarityNYC](#) in 2013; The coalition building and direct action of the [Cooperative Economics Alliance of New York City](#); And we also support the policy platform developed by the [New York City Network of Worker Cooperatives](#). In particular, the recommendations by survivors below tap into the policy priorities of: Direct Financial Support, Education & Technical Assistance, and Movements for Racial & Immigrant Justice.

**Enlist survivors as key and expert advisors - with leadership roles, decision-making power, and compensation — in efforts to reform policy/practices of current government economic systems and to create new economic opportunities.** This includes, but is not limited to, establishing and funding the survivor and advocate advisory committees recommended in the [Housing Issue](#) Brief and the [Public Benefits](#) Issue Brief.

*“Here everything’s different. We all count, we have a say. There is equality, comradeship and in our community, we try to respect the environment by using eco-friendly products.”*

## **Increase direct and flexible funding to survivor worker cooperatives**

*“The salary we earn is almost entirely spent on paying the bills and the rent.” “We get [funds] for marketing and workshops, but we have other needs too.”* Current funding structures focus on long-term business-development goals while neglecting to provide for the immediate and urgent needs of the survivors building from the ground up. Survivors need funds to cover business expenses, to pay a living wage, and to include benefits like health insurance (especially for mental health), retirement, and life insurance. Survivors need funds to cover business expenses, to pay a living wage, and to include benefits like health insurance (especially for mental health), retirement, and life insurance. Advocates noted that survivors need financial needs met immediately to avoid hardship, suffering, and dangerous or exploitative employment.

### **Specific recommendations include:**

- *“Allow each [of our] cooperatives to directly apply for aid, instead of waiting for the funds to get to an organization who then decides where the money will be invested.”*
- Support or “open more cooperatives.”
- Remove restrictions from how funds can be used so that each cooperative membership can make decisions about how to use funding in ways that best serve their community and needs.
- Ensure funding to worker cooperatives will provide a livable salary and include other benefits (eg. health, retirement options, life insurance), so they have the income and time required to build their business.

- Provide fast, clear, and regular business, loan, and tax information and assistance (in multiple languages) to survivor cooperatives.
- Design and advocate for City, State, or Federal tax credits “made especially for [survivors] who participate in Solidarity Economy.”

## **City funding should go beyond worker cooperatives, connecting to other aspects of the solidarity economy like babysitting/childcare coops, urban homesteading or alternative use of commercial buildings, and building loan pools to pay survivor coerced debt.**

- » The City should participate in a community-based process to identify a fuller set of solidarity economy practices to identify which it can lead or support directly and which should be led by private or community groups.
- » Provide funding to support survivors’ full range of economic and healing needs reflected in [Survivor-Centered Bridges to Economic Equity](#).
- » See survivor recommendations in the [coerced debt](#), [housing](#), and [public benefits](#) briefs as well.

## **Supplement direct aid to survivor worker cooperatives with increased funding, training, and capacity building to survivor-led and culturally specific advocacy organizations.** Survivors value support from programs that can deliver technical financial/business support in holistic environments and supplemental services that embody survivors values of cooperation, care, and connection toward healing.

- » **Prioritize and fully fund culturally specific advocacy organizations to provide the technical assistance and emotional/trauma-informed support survivors want.** Program funding should include general operating funds, evaluation support, specific staffing, and sufficient flexible funding for programs to offer supplemental services like groups, therapeutic services, legal advocacy, and opportunities for cooperation, care, and connection.
- » **Revise or develop new processes to monitor and evaluate projects in solidarity economy to be immigrant-centered, community-driven processes that honor and uplift the history of BIPOC and immigrants in creating and furthering the solidarity economy:** *“Many immigrant communities have experience with coops, but funders often redirect the use of funds which undermine the purpose. How do we limit institutional white-washing [from funders]? For example, a funder redirected grant dollars originally meant for parent-led child care to go to setting up daycares, instead. Daycares did not change the cost barriers to access for impacted parents, so the project was deemed ineffective, they lost funding, and didn’t have capacity to build an evidence-base for future grants. They get stuck in this cycle.”*
- » **Fund training programs to advocacy organizations on the link between anti-oppression and abolitionist frameworks and gender-based violence.** Many organizations provide economic advocacy or material resources but rely on philosophies and are tied to systems that are not survivor-centered, equitable, or trauma-informed.
- » **Provide training or otherwise support initiatives to connect lawyers, incubators, and business developers directly to communities and survivors** so they can leverage resources or connect survivors with alternatives when mainstream legal options fail.

# ENDNOTES

- 1 See Center for Survivor Agency and Justice, *supra* note 1 at 38
- 2 New York City Mayor's Office to End Gender-Based Violence, 2020 Family-Related Violence Snapshots (2020) [https://www1.nyc.gov/assets/ocdv/downloads/pdf/2020\\_family-related\\_violence\\_community\\_board\\_snapshots\\_002.pdf](https://www1.nyc.gov/assets/ocdv/downloads/pdf/2020_family-related_violence_community_board_snapshots_002.pdf) (last visited Sept. 9, 2022). <https://data.cccnewyork.org/data/map/1347/domestic-incident-reports#1347/a/3/1578/99/a/a>
- 3 New York City Mayor's Office to End Domestic & Gender-Based Violence, 2020 Annual Report (2020) <https://www1.nyc.gov/assets/ocdv/downloads/pdf/ENDGBV-2020-Annual-Report.pdf> (last visited Sept. 9, 2022).
- 4 See Sara Wee & Center for Survivor Agency and Justice, *supra* note 8.
- 5 *Id.*
- 6 Center for Survivor Agency & Justice, *The Economic Advocacy for Survivors Project: Final Project Report & Recommendations to NYC Human Resources Administration*. Inquire for access: [info@csaj.org](mailto:info@csaj.org)

# CONCLUSION & CALL-TO-ACTION

Safety for survivors of gender-based violence requires economic security. Exacerbated by the COVID-19 pandemic, survivors face long-standing systems barriers to safety that result in an economic ripple effect of violence and perpetuate economic inequity writ large.

As advocates for survivors in NYC, we believe in this City. We see the resilience and resourcefulness of survivors day-in and day-out, and know that the diversity and rich culture of NYC buoys us all. Because of this, we know NYC is a place where all survivors can be supported and safe. We know that our city is capable of being a leader in ensuring that survivors get what they need to survive and thrive.

To make this a reality, we need a new vision for economic equity. **Survivors and community-based advocates from across New York City gave us this vision. It is a vision that transforms the cascading consequences of the “ripple effect” into rippling possibilities. They envision economic equity rooted in solidarity, community, cooperation, and care. We must now follow this vision.** We call on City agencies, elected officials, and policy makers who have the will to take bold action required to make these visions a reality.

## Survivors and community-based advocates from across New York City shared a new vision.

The priority areas of this vision are to:

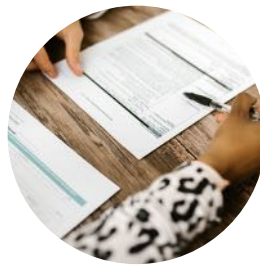
- Advance equitable responses and resources for gender-based violence survivors.
- Place survivor equity and solidarity at the center of City & State economic development.
- Dismantle deeply ingrained racist systems and practices in our institutions and invest in new ideas.
- Engage survivors in government policy and planning.



**COERCED DEBT**



**HOUSING**



**PUBLIC BENEFITS**



**SOLIDARITY  
ECONOMY**

# WE NEED REAL, BOLD ACTION

The first step toward an effective, bold plan is commitment. See below for a variety of ways to support, act, and hold yourself accountable to the vision and recommendations for survivor economic equity.

We invite individual survivors, advocates, community members, community-based organizations, and aligned gender-, racial-, and economic-justice initiatives to support this vision and join us in advocating change.

## *Join Our Call-To-Action*

You can sign as an individual, group, or on behalf of an organization. Your name or organization will be added to a future webpage to help us demonstrate power behind this vision.

And we call on City agencies, elected officials, and other policy makers to support the vision and help us turn key recommendations into reality. Contact us to connect with survivor and advocacy groups to advise, draft, and help effect your policy and legislative agendas.

## *Show Your Support*

Contact us: [nyc\\_survivor\\_ej@csaj.org](mailto:nyc_survivor_ej@csaj.org)

Together we can bridge the ripple effect and transform the economic landscape facing survivors in NYC.

***“We all count, we have a say. There is equality and comradeship in our community.”***

***— a survivor visioning call participant***

# ACKNOWLEDGMENTS

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## CONTRIBUTORS, PARTICIPANTS & ADVISORS

Deep gratitude to the many advisers, survivor-advocates, and community activists who offered critical review, insight, and contributions to the work behind this report and the report itself. Our work is never done, and we benefited from many, as students to deep and complex economic and social justice issues and movements. Thank you.

**ALL survivors** were from the Economic Justice Program of the Violence Intervention Program

**ALL visioning call participants**, made up of survivor advocates, family law and consumer attorneys, tax advocates, housing/shelter advocates, policy advocates, immigration advocates, parental peer support programs, and more...

**Britt Reid**, (formerly) Anti-Violence Project

**Cat Shugrue Dos Santos**, Anti-Violence Project

**Cheyenna Weber**, SolidarityNYC, writer, organizer

**Emma Salters**, graphic designer

**Jack Newton**, Legal Services NYC

**Julie Goldsheid**, City University of New York Law School

**Raquel Singh**, Voices of Women Organizing Project

**ENDGBV**, NYC Mayors Office to End Gender Based Violence

**NYC Mayor's Office of Economic Equity**

We also drew from and consulted the work of many community and coalition-based efforts:

[THANKS TO ALL HERE](#)

## AUTHORS & COALITION MEMBERS

The visioning calls, report, and summit and systems advocacy work were led and authored by Chairs and Members of three collaborative advocacy groups in NYC:

**The Task Force on Domestic Violence and Economic Justice (DVEJ)** brings together advocates from domestic violence nonprofit organizations across New York City. DVEJ highlights the intersection of domestic violence and poverty and promotes economic justice for domestic violence survivors. Specifically, DVEJ looks at Public Benefits, Financial Development, Affordable Housing, Career Development and Childcare to explore how we can improve the opportunity structure in each of these areas with the survivors we serve such that they can achieve independence.

**Domestic Violence and Consumer Law Working Group:** Launched in 2006 by Fordham Law School’s Feerick Center for Social Justice, the Working Group is chaired by and comprised of advocates from around 16 non-profit organizations, including both consumer legal service providers and domestic violence service providers. The purpose of the Working Group is to engage in fact finding and advocacy to examine and address the unique financial issues frequently faced by domestic violence survivors, build domestic violence agencies’ service capacity to address consumer issues (via resources and training), and operate the DV CLARO Project meant to expand legal advocacy to domestic violence survivors in shelter on issues like consumer debt and credit reporting.

**The Collective:** The Collective represents five of New York City’s leading, community-based organizations that are culturally-specific, gender justice organizations and organizers that are dedicated to serving immigrant, black, Indigenous, and people of color (BIPOC) survivors of domestic and sexual violence in New York City. The organizations include: The Arab-American Family Support Center, Sakhi for South Asian Women, Sauti Yetu Center for African Women and Families, Violence Intervention Program, and Womankind. The Collective has come together in this poignant moment in our nation’s history to harness our respective strengths and build collective power to amplify our voices in the movements for gender justice, survivor liberation, and racial equity.

## FUNDERS

This work was partially funded by The New York Women’s Foundation. Deep gratitude for offering support to ensure we could include and compensate the voices and expertise of survivors.

This work was made possible by the (unfunded) individual and group commitment and efforts of all of those acknowledged above.



***“We all count, we have  
a say. There is equality  
and comradeship  
in our community.”***

*-Survivor*

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**JOIN OUR  
CALL-TO-  
ACTION**



**Testimony:** Naomi Young, Staff Attorney, Her Justice  
**Hearing:** City Council Committee on Women and Gender Equity and Committee on Civil and Human Rights Oversight Hearing on Coerced Debt and Int. 0148-2022  
**Date:** December 12, 2022

### **Organizational Background**

Thank you, Chair Cabán and the Committee on Women and Gender Equity and Chair Williams and the Committee on Civil and Human Rights for the opportunity to submit testimony on the critical matters of the expansion of protections for victims of domestic violence to include economic abuse through Intro 0148-2022 and the issue of coerced debt. For 29 years, Her Justice has stood with women living in poverty in New York City by recruiting and mentoring volunteer lawyers to provide free legal help to address individual and systemic legal barriers in the areas of family, matrimonial and immigration law. Through our unique “pro bono first” model, we leverage the legal skills of New York’s premiere law firms to serve thousands of women every year, securing them immigration and work status, divorces, orders of protection, child support and custody orders. In 2018, Her Justice developed a “Marital Debt Project” which sought to secure economic justice for divorcing clients by providing holistic financial advocacy, including consumer debt defense. Today, our work continues to evolve through our “Financial Freedom Project.” Her Justice screens every case for economic abuse and consumer debt, strives to provide clients with the necessary services and referrals, and trains pro bono attorneys and community partners on financial advocacy, including identity theft advocacy and financial safety planning. From our inception, Her Justice has sought to bridge the justice gap in New York and provide critical economic relief by providing essential legal services for the City’s most vulnerable populations – including, women living in poverty, heads of single parent households, immigrants, and women of color. The urgent needs of our clients and this justice gap have only increased over the past several years and during the COVID-19 pandemic.

### **Problem Statement**

#### **Economic Abuse and Coerced Debt**

Economic abuse involves “behavior or tactics that control a person’s ability to acquire, use, and maintain economic resources.”<sup>1</sup> Within the context of intimate partner violence, it includes interfering with a survivor’s ability to go to work or school; prohibiting a survivor’s access to their bank account or money from their own paycheck; committing tax or public benefits fraud using the survivor’s stolen identity; or leaving the survivor with coerced debt. It can cause financial devastation and traumatize survivors years after they leave the abusive relationship.

Within the larger umbrella of economic abuse, coerced debt is debt that an abuser inflicts on a victim, either by taking it out in a victim’s name without their knowledge or consent, or by pressuring, threatening, or manipulating a victim into taking it out in their own name. Coerced debt occurs not only within intimate partner violence, but also in other abusive relationships of

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<sup>1</sup> Adrienne E. Adams et al., *Development of the Scale of Economic Abuse*, 14(5) *Violence Against Women Journal* 563 (2008).



trust such as between a child and their parent or guardian, or an elderly or disabled person and their caretaker, and in human trafficking contexts. Coercive tactics range from credit card, tax, and public benefits fraud, to pressuring or manipulating a victim into signing an auto lease, to failing to pay bills in the victim's name that the victim reasonably relied on the abuser to pay. This form of abuse continues to cause harm long after the survivor has left the abusive relationship.

Marginalized populations are disproportionately impacted by coerced debt. This is because of inadequate resources and services to address the forms of oppression that survivors may experience. This is also due to systemic discrimination based on such social identifiers as language, race, immigration status, disability, gender, sexuality, age, and work status.

In a nationwide study, 99% of survivors reported experiencing economic abuse as part of domestic violence, and 52% of DV survivors had coerced or fraudulent debt, with 46% reporting credit damage.<sup>2</sup> In New York City, more than one in three survivors who seek domestic violence-related legal services also have a consumer debt issue.<sup>3</sup> Coerced debt and the resulting credit damage significantly interfere with survivors' ability to obtain housing, credit, financial stability, and, in some cases, employment. Consumer debt judgments may lead to wage garnishment and bank account restraint, leaving survivors unable to afford their day-to-day needs. In fact, the number one reason why survivors do not leave abusive relationships is because they cannot afford to leave for a safer situation.<sup>4</sup>

## Widening Justice Gap During Economic Crisis

Her Justice continues to serve the legal and social needs of New York's most vulnerable as they face domestic violence, mounting economic disparity, housing insecurity, devastating debt loads, and the many uncertainties that come with an ongoing global health crisis. At the outset of the pandemic in early 2020, New York City's employment plummeted 21% within three months, and in 2022 the City continues to lag far behind the State and Country in recovering jobs.<sup>5</sup> For parents, particularly women, the additional burden of caring for children during the pandemic greatly impacted employment.<sup>6</sup> By the winter of 2020-2021, nearly one in four families with

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<sup>2</sup> AMY DURRENCE, KIRKLEY DOYLE, & SONYA PASSI, MAKING SAFETY AFFORDABLE: INTIMATE PARTNER VIOLENCE IS AN ASSET BUILDING ISSUE 11 (2020) <https://www.freefrom.org/wp-content/uploads/2021/06/Making-Safety-Affordable.pdf> (last visited December 6, 2022).

<sup>3</sup> CAMBA LEGAL SERVICES, FORDHAM LAW SCHOOL FEERICK CENTER FOR SOCIAL JUSTICE & THE LEGAL AID SOCIETY, DENIED: HOW ECONOMIC ABUSE PERPETUATES HOMELESSNESS FOR DOMESTIC VIOLENCE SURVIVORS 5 (2018) [https://www.fordham.edu/download/downloads/id/11883/denied\\_how\\_economic\\_abuse\\_perpetuates\\_homelessness\\_for\\_domestic\\_violence\\_survivors.pdf](https://www.fordham.edu/download/downloads/id/11883/denied_how_economic_abuse_perpetuates_homelessness_for_domestic_violence_survivors.pdf) (last visited December 6, 2022).

<sup>4</sup> AMY DURRENCE, KIRKLEY DOYLE, & SONYA PASSI, *supra* note 2, at 3.

<sup>5</sup> OFFICE OF THE NEW YORK CITY COMPTROLLER, NEW YORK CITY'S UNEVEN RECOVERY: AN ANALYSIS OF LABOR FORCE TRENDS 2 (2022), <https://www.osc.state.ny.us/files/reports/osdc/pdf/report-3-2023.pdf> (last visited December 6, 2022).

<sup>6</sup> KATHRYN NECKERMAN ET AL., POVERTY AND HARDSHIP AMONG FAMILIES WITH YOUNG CHILDREN BEFORE AND DURING THE PANDEMIC 6 (2022) [https://static1.squarespace.com/static/610831a16c95260dbd68934a/t/62c74892a2b7f36d6b88ddfa/1657227411026/Early-Childhood-PT\\_7.6.2022.pdf](https://static1.squarespace.com/static/610831a16c95260dbd68934a/t/62c74892a2b7f36d6b88ddfa/1657227411026/Early-Childhood-PT_7.6.2022.pdf) (last visited December 6, 2022) (“Among mothers of young children working before the pandemic began, about one in four were not working a year later. . .”).



young children owed rental or mortgage arrears.<sup>7</sup> Meanwhile, national inflation peaked at 9.1% in June 2022, and New York City's average housing rent increased by 33%.<sup>8</sup> And against this backdrop of economic hardship, domestic violence skyrocketed during the COVID-19 pandemic in a social phenomenon that the United Nations termed a "Shadow Pandemic."<sup>9</sup>

Survivors turning to the New York Courts for recourse face hurdle after hurdle. The courts announced a physical closure to the public in March 2020.<sup>10</sup> While the courts and legal services organizations scrambled to create new virtual systems for indigent litigants, creditors wasted little time in collecting consumer debts. Although new consumer credit filings in the five New York City civil courts saw a brief lull between April and June 2020, by July 2020 the city was back up to its regular average of about 6,754 new consumer credit filings per month.<sup>11</sup> Between January 2021 and April 2022, New York's Civil Courts issued 19,365 default judgments against consumers.<sup>12</sup>

Our clients reported receiving summonses from creditors while they themselves were unable to file child support petitions for most of 2020 – a type of proceeding deemed "non-essential" by the New York Courts<sup>13</sup>, but which provides critical income to families, especially the most indigent. Child support petitions filed pre-pandemic were eventually adjourned well over a year past the original filing date (and in some cases were not heard for two years).<sup>14</sup> Clients who attempted to file a child support petition by mail or through the Court's "Electronic Document Delivery System (EDDS)" during 2020 told us that they later learned the petitions were never filed by the court clerks.

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<sup>7</sup>*Id.* At 5.

<sup>8</sup> NEW YORK TIMES, "RENTS ARE ROARING BACK IN NYC" (2022)

<https://www.nytimes.com/2022/03/07/nyregion/nyc-rent-surge.html> (last visited December 6, 2022).

<sup>9</sup> United Nations Women, *The Shadow Pandemic: Violence against women during COVID-19* (2020)

<https://www.unwomen.org/en/news/in-focus/in-focus-gender-equality-in-covid-19-response/violence-against-women-during-covid-19> (last visited December 6, 2022); *see also* MICHELLE BOCANEGRA, CITY'S DOMESTIC VIOLENCE WEBSITE SEES SURGE IN VISITORS, POLITICO (2020) <https://www.politico.com/states/new-york/city-hall/story/2020/04/01/citys-domestic-violence-website-sees-surge-in-visitors-1270105> (last visited December 6, 2022); *see also* NEW YORK STATE COUNCIL ON WOMEN AND GIRLS, COVID-19 DOMESTIC VIOLENCE TASK FORCE 1 (2020) <https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/DVTF-Report-FINAL.pdf> (last visited December 6, 2022).

<sup>10</sup> EMILY SHUGERMAN, "SHE TRIED TO ESCAPE HER EX, BUT THE COURTHOUSE WAS CLOSED," THE DAILY BEAST (2020) <https://www.thedailybeast.com/domestic-violence-victims-suffer-as-coronavirus-paralyzes-the-courts> (last visited December 6, 2022).

<sup>11</sup> From data FOIL requested from the New York Courts, 2016-2022.

<sup>12</sup> From data FOIL Requested from the New York City Civil Courts by the Feerick Center at Fordham Law in April 2022.

<sup>13</sup> Administrative Order AO-78-20 signed by Chief Administrative Judge Janet DeFiori on March 22, 2020 prohibited court clerks from accepting filings other than those listed in Exhibit A to the order as "essential matters." Child Support matters were not listed in this or any updates to this AO as essential matters.

<sup>14</sup> RACHEL L. BRAUNSTEIN, "OPINION: DO WE REALLY SUPPORT CHILDREN? NY'S CHILD SUPPORT SYSTEM SAYS OTHERWISE," CITY LIMITS (2022) [https://citylimits.org/2022/08/30/opinion-do-we-really-support-children-nys-child-support-system-says-otherwise/?bbeml=tp-UJNU2o4dTE60EF7fBtV56Q.jdgWgtmh3gUiVq3RSasmfLA.r6r0juDgtsEWYmwi6Cd9kCQ.lg0NvMYE\\_TkO6xAsoe9IPBQ](https://citylimits.org/2022/08/30/opinion-do-we-really-support-children-nys-child-support-system-says-otherwise/?bbeml=tp-UJNU2o4dTE60EF7fBtV56Q.jdgWgtmh3gUiVq3RSasmfLA.r6r0juDgtsEWYmwi6Cd9kCQ.lg0NvMYE_TkO6xAsoe9IPBQ) (last visited December 6, 2022).



New York City’s struggling population also faces a severe shortage in free legal services – particularly in the areas of consumer debt defense, family law, and divorce. Over 90% of consumer debt defendants and child support litigants are unrepresented.<sup>15</sup> And there are even fewer legal services attorneys who are cross-trained to provide consumer, tax, and bankruptcy law services that are trauma-informed, and that consider survivors’ special safety needs and other points of intersection with the legal system. During the pandemic, legal and social services are stretched thinner than ever in our efforts to meet rising demands with limited resources. Historically marginalized and excluded populations are most impacted by poverty, housing and public benefits injustices, and coerced debt. These survivors face a dearth of the specialized resources and services they need to address numerous social barriers including language, race, immigration status, disability, gender, sexuality, age, and work status.

Her Justice clients, and all women living in poverty in New York City, must cope with multiple difficult issues at the same time. Many immigrant clients who marry U.S. citizens are asked to entrust their new identifying documents to their husbands, lack knowledge about the U.S. credit systems, do not earn enough income to file their own tax returns, and may have no control over the family finances. For one non-citizen client who sought help from Her Justice for a divorce from her abusive husband, it became clear that she may also qualify for VAWA immigration relief because of the abuse. In unraveling the story of her abuse, we also learned that her husband stole her identifying documents and opened a credit card in her name without her permission. This story is not an outlier – in opening up to us about why they need a divorce and how a relationship destroyed many aspects of their lives, clients teach us about the many ways that their immigration status can be abused and manipulated. Another client who left her abusive husband in New York to move back to her home country returned to the U.S. after a decade and learned that her husband had opened 14 credit cards in her absence, saddling her with insurmountable debt.

Identity theft within a marriage is difficult to address because many systems incorrectly assume that marriage is an exception to laws criminalizing identity theft. Banks and credit reporting agencies are unwilling and unlikely to address disputes related to identity theft without a police report, and police reports are difficult to obtain in such cases. Despite years of advocacy by coalitions in which Her Justice participates, New York City Police Department officers and detectives frequently refuse to accept complaints from our clients about a spouse stealing their identity based on the mistaken belief that it is legal for spouses to use each other’s personal identifying information however they please, and/or because they do not want to interfere with a marital disagreement. These misconceptions persist even though the New York Family Court Act allows anyone related to or in an intimate partnership with someone who steals their identity to bring allegations of a family offense – including identity theft – against that person in Family Court.<sup>16</sup> The reality of economic abuse, coerced debt, and identity theft is that those in positions of trust are the best positioned to exploit victims – whether the harm doer is a parent, foster parent, caretaker for the elderly, spouse, or intimate partner. Whether the abuse emerges in heterosexual or queer relationships, human trafficking cases or casual dating relationships, the

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<sup>15</sup> Permanent Commission on Access to Justice, Report to the Chief Judge of the State of New York 29 (2022) [https://ww2.nycourts.gov/sites/default/files/document/files/2019-10/18\\_ATJ-Comission\\_Report.pdf](https://ww2.nycourts.gov/sites/default/files/document/files/2019-10/18_ATJ-Comission_Report.pdf) (last visited December 6, 2022).

<sup>16</sup> New York Family Court Act § 812.



financial institutions, courts, and law enforcement agencies that should protect people perpetuate the harm when they refuse to help them.

### **Recommendations**

Her Justice is pleased to support [Int. No. 0148-2022](#), which would amend the administrative code of the city of New York to expand protections for victims of domestic violence to include economic abuse. This bill has the potential to broaden the reach of the New York City Commission on Human Rights to address discrimination against survivors of domestic violence by including economic abuse within that definition. This amendment is crucial because of the distinct impact economic abuse has on access to housing and accommodations for survivors – challenges only compounded by discrimination by landlords and employers.

By expanding the legal definition of domestic violence to include economic abuse, New York City would follow the model set by the 2022 reauthorization of the federal Violence Against Women Act. This law would be the first in New York State to codify a definition of economic abuse. As civil legal services providers serving survivors of domestic violence, we recognize the value of building towards a broader recognition of economic abuse, including coerced debt, in New York City and State. We urge the Council to support efforts to expand protections for survivors of economic abuse and coerced debt in State law such as the Family Court Act, Social Services Law, and General Business Law. It is imperative that survivors be empowered by laws which provide them with individual causes of action and defenses.

A more detailed explanation of the issue of coerced debt and a comprehensive list of recommendations is included in the report [Reinvesting in Economic Justice, Equity, and Solidarity for Survivors in New York City](#), which was released in October 2022 and co-written by Her Justice together with partners from the Center for Survivor Agency and Justice, Urban Resource Institute, CAMBA Legal Services, Safe Horizon, the Anti-Violence Project, and others. The proposed solutions include increasing funding for legal services and social services, particularly in the areas of family law and consumer debt advocacy, along with interdisciplinary training on economic abuse for legal services providers, judges, social services agencies, shelters, Family Justice Centers, and police.

Any solutions to address issues facing survivors of intimate partner violence must center survivors, particularly those most marginalized. To that end, we must strive towards anti-racism and solidarity with people with disabilities, youth, elderly individuals, immigrants, sex workers, and LGBTQ people. Any work addressing barriers to survivor services must reject patronizing, victim-blaming narratives, which put the onus on the individual morality or responsibility of survivors. Finally, services must be survivor- and advocate-directed so that they are accessible and aligned with survivors' needs.

We hope that this testimony serves to render more visible the experience of economic abuse for domestic violence survivors – and the power of the law to recognize that experience – and their attendant needs. We thank the City Council and the Committees for the support for survivors and the essential legal services that we provide to women living in poverty in New York City,



and for your partnership on policy reform to benefit all New Yorkers. We look forward to continuing to work together to improve the delivery of justice to all.



**Testimony submitted to the New York City Council  
Committee on Civil and Human Rights**

**Monday, December 12, 2022 1:00 PM  
Hybrid In-Person/Remote Hearing**

**RE: Proposed Amendment Int. 0148-2022.**

Good afternoon. My name is Erika Bertelsen. I am a staff attorney in the domestic violence and family law advocacy project in the Queens office of Legal Services NYC (“LSNYC”) and am here on behalf of LSNYC family law unit’s city wide. Thank you for this opportunity to express our support for the proposed amendment to New York Human Rights Law to recognize economic abuse as a form of domestic violence and extend protections for victims of economic abuse.

Legal Services NYC is the state’s largest provider of free civil legal services, with satellite offices in each borough. LSNYC fights poverty and seeks racial, social and economic justice for low-income New Yorkers. We are a recognized legal and core services provider to low-income families – such as families and individuals who have experienced violence who we serve regardless of status. Our borough offices are participating agencies at all of the New York City Family Justice Centers.

Our domestic violence and family law units provide free comprehensive services to survivors seeking assistance with orders of protection, immigration, custody, child support, and divorces. Within the Queens office, the attorneys also work in tandem with



social workers who provide our clients with interdisciplinary holistic assistance. This advocacy includes safety planning, emotional support, and help achieving self-sufficiency through housing, counseling, public assistance, and Office of Victim Service grant referrals.

While physical violence is often the most recognizable outward signs of intimate partner violence, according to the National Coalition Against Domestic Violence, it is estimated that a staggering 95% of relationships that have physical violence also feature economic abuse and control<sup>1</sup>. Economic abuse can include the abuser controlling all of the household income, and denying the victim any financial independence, but also often includes limiting the victims ability to work or seek educational advancement. Survivors are then left without resources to seek independence or safety. This information is particularly insidious when you consider that according to Anna Aizer's study, *Poverty, Violence, and Health: The Impact of Domestic Violence During Pregnancy on Newborn Health* women earning less than \$10,000 a year are 5 times more likely to be victims of intimate partners violence than those earning over \$30,000 a year<sup>2</sup>.

LSNYC's dedication to serving low-income New Yorkers and survivors of domestic violence means that as advocates, we often represent clients who have been victims of economic abuse. The economic abuse suffered by our clients often requires coordinated legal advocacy, social services support and case management to address and overcome. But despite these efforts, under the current law, we are often left unable to seek

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<sup>1</sup> National Coalition Against Domestic Violence Quick Guide: Economic and Financial Abuse. April 12, 2017. <https://ncadv.org/blog/posts/quick-guide-economic-and-financial-abuse>

<sup>2</sup> Anna Aizer, *Poverty, Violence, and Health: The Impact of Domestic Violence During Pregnancy on Newborn Health*. National Institute of Health Public Access 518-538 (2011)

remedies for this abuse, even if our clients are protected under other aspects of the current definition of domestic violence.

**LSNYC’S REPRESENTATION AND ADVOCACY FOR VICTIMS OF  
ECONOMIC ABUSE**

As I previously discussed, economic abuse can come in different forms, but share the common outcome of limiting a survivor’s resources and ability to act autonomously or leave the relationship. This can be seen in the case of Client P. P and her husband were married for 15 years. As soon as P gained work authorization, she began working full time. P’s husband took the entirety of P’s paycheck - giving her only 40 dollars a month to provide food for herself. P lived with her husband and his parents, isolated and unable to create an outside support network. When P began denying her husband her paycheck he became violent. Eventually police intervention was required. When P came to us as a client, we assisted in referring her to local resources to obtain housing vouchers and gain independency. While we have been able to seek some marital assets through the divorce, we have been unable to obtain remedy for the money her husband took and controlled for the entirety of their marriage.

Conversely, economic abuse can also come in the form of controlling a victims access to education or jobs. Client L met her abuser when she was 12 years old. After less than a year, he had her move in with him and his family – he was 18. Once L moved in with her abuser, he restricted her ability to leave the apartment and she quickly got pregnant. L was unable to finish high school due to her abuser’s restriction of her movement, and his refusal to assist with child care. Once L was able to eventually leave, she had no formal education, and no work experience. L was able to gain public assistance

and other support services for survivors, but that does little to make up for the economic and educational experiences denied to her by her abuser or their lasting impact on her ability to provide for her family.

Abusers will sometimes try to utilize the legal system in attempt to further hinder a survivor's capacity to seek out employment or maintain employment, and thus their economic security. Client S. and her abuser were employed in different divisions of the same company. The Abuser filed and obtained a Family Offense Petition and during the course of the case, filed a frivolous violation of the order with the NYPD. The alleged violation, stemming from contact about the child-in-common entering pre-school, caused S. to be arrested. The abuser immediately informed the employer, who put S. on notice that she was placed on suspension without pay and would be subject to termination if the case was not resolved within 90 days. Given the nature of court proceedings and additional complications of legal practice during the pandemic, resolving the issue within 90 days was impossible. However, through advocacy and determined litigation efforts, we were able to obtain an order from Family Court that expressly stated that the contact regarding the child's school was not a violation of any family court order. While the client was reinstated at work, she still lost considerable income she and her family depends on.

The Pandemic additionally created an atmosphere that heightened economic abuse. Though our offices were closed throughout 2020, LSNYC continued to accept cases and advise survivors seeking legal advice and counsel. Following the issuance of stimulus payments in 2020 and 2021, we experienced a large number of clients reporting that their abuser had taken all of the stimulus money after including the client as a dependent on their tax returns. This was an evolution of a consistent form of financial abuse, where

abusers will file taxes for their victim and then deny them access to any refunds received. In some cases, the abuser will go on to wrack up tax debt which the victim can be held responsible for on joint tax returns. While the IRS does grant Innocent Spouse Waivers to relieve victims of this debt, it can often be a difficult process for survivors to navigate – if they are even aware of the option.

Another realm we often see economic abuse in is when the abuser is a US citizen and their spouse lacks immigration status. While the US immigration system allows for citizens to petition for their spouse to gain residency, in abusive relationships often the citizen abuser will withhold immigration assistance to force their victim into complete reliance on them. Without status, victims are unable to find legitimate work, or seek public assistance – leaving them completely reliant on their abusers. Working in Queens – one of the most diverse boroughs, this is a form of abuse we witness often – and work in tandem with our immigration unit to explore options for visas. But, the winding world of immigration is timely, and the months and years lost by a victim when they are unable to work or support their family can lead to dangerous outcomes – such as returning to their abusive spouse for economic support.

While our offices have utilized both legal and social work remedies to advocate for our clients who have been victims of economic abuse, as I have just detailed, the legal protections necessary to make these clients whole are distinctly lacking. Representing low-income survivors of domestic violence, our offices witness the frequency of this form of violence – and the lasting impact it can have on survivors who struggle to protect themselves and their families without any capital of their own. We are grateful for the opportunity to speak here today in support of the proposed amendment to New York

Human Rights Law to recognize economic abuse as a form of domestic violence and extend protections for victims of economic abuse. I hope that the stories I have shared of our clients who have struggled to escape from economic abuse highlight the necessity of this amendment, and emphasize the importance of continued protection and advocacy for survivors of domestic violence.

Thank you.

Erika M. Bertelsen, Esq.  
Staff Attorney, Domestic Violence and Family Law Advocacy Project  
Queens Legal Services  
Legal Services NYC



Committee on Women and Gender Equity jointly with the Committee on Civil & Human Rights

Testimony on Int 148, December 12, 2022

Submitted Via <https://council.nyc.gov/testify/>

Founded 50 years ago, Met Council offers a wide range of social services, including affordable housing, benefits access, geriatrics services, and emergency food programming for poor and near poor New Yorkers. The Family Violence Services program at Met Council is a leader in helping those impacted by intimate partner violence and sex-trafficking to become empowered, obtain safety, foster healing, and work towards self-sufficiency. The program is one of the only programs in New York City that offers comprehensive case management services, trauma-informed psychotherapy, financial assistance, and food assistance under one roof. Our top priority when working with clients is ensuring that they are safe and on a path toward stability. We are keenly aware of the specific challenges that many survivors face, and we recognize that financial abuse is a pernicious piece of many survivors' lives. It is often the primary barrier survivors face in leaving a violent relationship.

Since the COVID pandemic began, the Met Council's Family Violence program has significantly expanded its services and supported more survivors than ever before. In just the past two years, the number of households served has grown by 47%, growing from 744 households (i.e. usually the primary survivor of domestic violence and their children) in FY 2020 to 1,094 in FY 2022. In addition to the increase in the number of clients who we have helped, the Family Violence Services program has seen a rise in domestic violence incidents and the severity of the cases. More clients reported being threatened by a weapon, strangled, or raped and many have experienced more extreme forms of financial abuse that has made them feel trapped with no way out.

When a client reaches out for help a Met Council social worker will complete a thorough intake assessment, and a personalized safety plan is established. Our program is unique in that we offer urgently needed financial assistance to survivors who are in immediate danger. This may include buying a client a prepaid cell phone, paying for a car service to take them to a shelter, or buying them a train or bus ticket to ensure that they are able to attain safety. Once immediate safety concerns are addressed, we then help our clients begin the healing process and navigate their path toward independence and sustainability based on their individual needs and wishes. This frequently involves enrolling the client in job training programs, public benefits access, and finding affordable housing; this is the aftermath of financial abuse.

As previously mentioned, financial abuse is one of the biggest barriers that clients face in leaving a domestic violence situation. The National Network to End Domestic Violence describes financial abuse as, "one of the most powerful methods of keeping a survivor trapped in an abusive relationship and deeply diminishes the victim's ability to stay safe after leaving an abusive partner."<sup>1</sup> Thus far in 2022 **53% of Met Council's Family Violence clients have reported financial abuse**. Most of our clients experience at least two distinct forms of violence (e.g. financial, physical, sexual, verbal, etc.), but it is financial abuse that makes it all the more difficult to leave their abusers.

The following is an example of a client that Met Council has provided assistance to where financial abuse was so prevalent and plagued our client even after she was no longer with him. Names and some information changed for privacy and confidentiality.

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<sup>1</sup> *Learn more about financial abuse*. National Network to End Domestic Violence. (n.d.). Retrieved November 21, 2022, from <https://nnedv.org/content/about-financial-abuse/>



*Jane, a 45-year-old woman with two children spent 15+ years living with her abusive husband. He controlled her every move, consistently put her down, and didn't allow her to work or have access to any money without his permission. She often thought about leaving him, but felt that she would never be able to survive without his help, which made her feel helpless and trapped.*

*After a particularly violent evening where Jane's husband berated her for not having enough food – even though she wasn't permitted any money to buy food – Jane was ready to leave. She reached out to Met Council, and we helped her develop a safety plan. After her Met Council Family Violence social worker connected Jane to legal support, a judge ordered Jane's abuser to leave their home. Jane and her children were able to remain in the marital dwelling. The Judge also mandated her husband to continue to pay rent for the client and their children to ensure that their housing remained secure.*

*Though initially this was such a huge relief for Jane, she reported continuing to feel trapped by her husband, despite being physically safe. He found, once again, a way to assert his financial control over her. He had alienated the apartment's management company by sending a constant flow of complaints to them, and was inconsistent with rental payments, which ultimately led to Jane receiving an eviction notice.*

*Met Council stepped up again, this time to help Jane and her children move to a new apartment that she could afford on her own. With gainful employment and a new, Jane now feels truly free.*

Given the high prevalence and impact of financial abuse within intimate partner violence situations, **Met Council supports bill Int. 0148 – 2022 because it adds financial abuse to the definition of “victim of domestic violence”**. We would like to thank Council Members Brannan, Louis, Ayala, Cabán, Stevens, Hanif, Won, Restler, Hudson, Nurse, Abreu, Williams and Yeger for sponsoring this important bill, as well as Committee Chairs Cabán and Williams for hosting the hearing and raising this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Hannah Lupien".

Hannah Lupien  
Managing Director of Social Services

And

A handwritten signature in black ink, appearing to read "Nechama Bakst".

Nechama Bakst  
Senior Director of Family Violence



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**TESTIMONY OF NEW DESTINY HOUSING  
TO THE NEW YORK CITY COUNCIL COMMITTEES ON CIVIL AND HUMAN RIGHTS AND  
WOMEN AND GENDER EQUITY**

**Gabriela Sandoval Requena, Director of Policy and Communications**

**December 12, 2022**

Thank you, Chair Cabán, Chair Williams, and members of the City Council Women and Gender Equity and Civil and Human Rights Committees for the opportunity to submit written testimony.

Founded in 1994, New Destiny is a New York City-based nonprofit committed to ending the cycle of violence for low-income families and individuals experiencing homelessness and domestic violence. We build and manage supportive, affordable housing and through our rapid rehousing program, HousingLink, we connect survivors with safe, permanent housing. New Destiny also advocates for housing resources for domestic violence survivors and their families. We invite you to read our [2022 NYC Policy Priorities](#).

New Destiny is a co-convenor of the [Family Homelessness Coalition \(FHC\)](#), a broad group of organizations and impacted advocates committed to tackling homelessness among families in our city.

We are grateful to Council Member Brannan for sponsoring Intro 148, which will amend the definition of “victim of domestic violence” under the New York City Human Rights Law to recognize economic abuse as a form of domestic violence and extend existing protections for survivors who have experienced economic abuse. Up to 99% of survivors of intimate partner violence experience financial abuse, while being stripped from their social safety nets,<sup>1</sup> and more than 1 in 2 survivors experience nonconsensual, credit-related transactions.<sup>2</sup>

Economic violence has long-lasting effects and significantly limits access to housing, employment, and other resources. As a consequence of this abuse, survivors often have poor credit scores and rental history; they may have lost their job, and, in some cases, they may have lost their rental subsidy due to violations committed by the abuser. **New Destiny strongly supports Intro 148.**

Survivors in our city are in dire need of additional housing resources and the Council and Adams administration have opportunities to mitigate the double trauma of abuse and homelessness. For far too long, domestic violence has been the number one driver of family homelessness in New York City.<sup>3</sup> In 2021, more than 10,000 New Yorkers entered the Human Resources Administration (HRA) domestic violence shelter system,<sup>4</sup> while 39% of families who entered the Department of Homeless

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<sup>1</sup> Postmus, J., Plummer S., McMahon, S., Murshid, N., & Kim, M. (2012). Understanding economic abuse in the lives of survivors. *Journal of Interpersonal Violence*, 27(3), 411-430.

<sup>2</sup> Bhattacharya, A., Dorosh-Walter, B., Reid, B., Sussman, E., Kourousias, L., Garcia Bigelow, M., Menna, M., Correa, M., Cameo, Young., Wee, S., & Inzunza, T. (2022). *Reinvesting in Economic Justice, Equity, and Solidarity for Survivors in New York City*. Retrieved from: <https://nycsurvivoorej.mailchimpsites.com/>

<sup>3</sup> Silkowski, A. (2019). *Housing Survivors: How New York City Can Increase Housing Stability for Survivors of Domestic Violence*. New York, NY: Comptroller Bureau of Policy and Research Bureau of Budget. Retrieved from: [https://comptroller.nyc.gov/wp-content/uploads/documents/Housing\\_Survivors\\_102119.pdf](https://comptroller.nyc.gov/wp-content/uploads/documents/Housing_Survivors_102119.pdf)

<sup>4</sup> NYC Department of Social Services (2022). 2021 Annual Report on Exits from NYC Domestic Violence Shelters.



Services shelter system identified domestic violence as the primary reason for their homelessness.<sup>5</sup> With so few housing resources, once in shelter, survivors are far more likely to remain in shelter rather than to move to a permanent home. Fifty three percent of the survivors with minors that left HRA domestic violence shelter in 2021 moved to another shelter instead of permanent housing. That is more than 1 in 2 families that left shelter for shelter.

Shelter will always be an important resource for survivors of domestic violence, but it should not be the only resource. More must be done to effectively support survivors' housing stability. It is time that the city:

- opens the door to HPD homeless set-aside units for survivors in HRA domestic violence shelter,
- includes domestic violence survivors and their children as an eligible population for city-funded supportive housing,
- and adequately funds the newly created Housing Stability Low-Barrier Grant Program for survivors.

Thank you for the opportunity to submit written testimony. New Destiny looks forward to working with the Council and the administration to advance these initiatives.

We welcome any questions you may have.

**Gabriela Sandoval Requena**

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<sup>5</sup> NYC Department of Homeless Services Shelter Eligibility Data.

Testimony by the New York Legal Assistance Group (NYLAG)  
Before the Committee on Women and Gender Equity  
and Committee on Civil and Human Rights  
December 12, 2022

Chair Caban, Chair Williams, Council Members, and staff, good afternoon and thank you for the opportunity to speak to the Committee on Women and Gender Equity and the Committee on Civil and Human Rights about the proposal to amend the New York City administrative code to expand protections for victims of domestic violence to include economic abuse. The New York Legal Assistance Group (NYLAG) uses the power of the law to help New Yorkers in need combat economic, racial, and social injustice. We address emerging and urgent legal needs with comprehensive, free civil legal services, impact litigation, policy advocacy, and community education. Our Domestic Violence Law Unit (DVLU) provides free representation to domestic violence survivors in the five boroughs, as well as continued advocacy and safety planning. DVLU attorneys have expertise in family offense petitions, custody and visitation matters, child and spousal support matters, contested and uncontested divorces, family law appeals, and domestic violence-based immigration claims.

We appreciate the opportunity to testify before the Committee on Women and Gender Equity and the Committee on Civil and Human Rights today, and the support the City Council and the Mayor's Administration have shown for domestic violence survivors. With new and increasing challenges faced by domestic violence survivors both during and since the COVID-19 pandemic, the support of the City Council and the Mayor's Administration is critical.

## Intersection of Domestic Violence and Economic Control and Abuse

This legislation is vital because as advocates for survivors of intimate partner violence, we know that abusive partners target the economic independence and stability of their victims to limit their options and resources and compel their continued dependence on the abusive partner.

### Restricting Access to Money, Assets, Credit or Financial Information

Subversive forms of financial control and abuse are common methods of keeping a survivor isolated from their community and future financial independence. In many cases we have seen, particularly amongst new immigrant and non-English speaking survivors, abusive partners forbid partners from working, taking English classes, or even learning the NYC public transportation system. Abusers, whether through coercion, threats, intimidation, or physical violence, force survivors to stay home to serve as unpaid help, weaponizing gendered stereotypes and expectations, reinforcing their role as homemakers and childcare providers. In turn, abusers often keep survivors on strict budgets, tying money needed for necessities or assistance with immigration relief to demands for acceptable behavior or even sexual favors.

This serves to further isolate the survivor and keep them completely reliant on the abuser for shelter, food, and other basic needs. Take the example of Muneeba (name changed for her safety), whose husband helped her immigrate from Pakistan. She moved away from her loving extended family and gave up a career as a civil servant to move to Brooklyn, on the belief that the United States would provide greater opportunities for herself and two sons. Soon after her arrival, Muneeba's husband made her position in the family clear. She was expected to stay at home, cooking and cleaning for her husband. Every attempt to secure financial independence – whether it was enrolling at community college, trying to secure part-time employment, or even taking birth control – was met with physical violence and threats not only from her husband, but his extended

family. When Muneeba finally reported her husband's abuse to the NYPD, he was arrested and excluded from the home. Even after his exclusion from the home, her husband continued to exert economic pressure on her by convincing the property owner to start an eviction proceeding against her.

Or consider Tatiana, who came to the United States to work as a model at the age of nineteen. After meeting her partner, who was more than 30 years her senior, Tatiana became pregnant with his child as a result of a sexual assault. Her partner convinced Tatiana to keep the baby, promising to take care of her and their child. Instead, over the course of several years, he used his status as a doctor to manipulate her, taking advantage of his reputation to build trust and then isolating Tatiana by convincing her to give up her career and immigration status in the United States. Tatiana's partner used her reliance on him for financial support for herself and her child to demand compliance with his sexual demands.

#### Unfairly Using a person's personal economic resources for one's own advantage

We frequently hear from our clients that their savings, resources, assets, and inheritances were taken or dissipated by their abusive spouse or otherwise converted to assets in the abusive party's name only. Many of our clients come from communities and cultures where the betrothal and bridal jewelry are an integral part of the engagement and wedding ceremonies. This jewelry, often gifted to the bride, stands as not only an assurance of the husband's ability to provide for his wife, but as a source of financial security for the bride should the marriage end or she outlive her husband. This financial surety is often taken from our clients in abusive marriages, severely restricting their economic independence and ability to leave safely.

These were the issues facing Laila, whose husband's family forcibly took her bridal jewelry after she reported her husband's abuse to the police. After his arrest and exclusion from the home,

Laila came home to find that her jewelry was missing from her bedroom. When she confronted her in-laws, who resided upstairs in their shared duplex and were the only other people with access to her apartment, they blamed Laila, providing evasive answers and stating that the jewelry was missing because Laila knew what she had done. Having no documentation of the jewelry except in her wedding photos, Laila was unable to seek recourse within the legal system. Without any of her own savings and two young children, Laila was unable to move to a safe location and was forced to remain at her husband's home where her in-laws subjected her to daily harassment and intimidation.

### Economic Exploitation and Coerced Debt

Exploiting a survivor's credit to incur debt in their name is another insidious form of financial abuse. It can happen in relationships where the abusive partner uses fraud, theft, coercion, force, or misinformation to get their partner into debt. It can also occur among unmarried couples where survivors are forced to turn over their paychecks or withdraw cash for their abusers. This type of financial abuse is common and results in long lasting financial consequences, even after the relationships have ended. This economic exploitation prevents survivors from being self-sufficient and impacts their ability to secure housing, employment, open a bank account or get on sound financial footing. It is extremely difficult for survivors to recover from this form of financial abuse because of the lasting repercussions. It impacts a survivor's credit score, can cause her to be hounded by collection agencies for debt in her name that is not really hers, and for survivors whose partners falsely claim their children as dependents on tax returns even after they have separated, prevents her from receiving tax refunds and other tax credits.

However, even if a survivor somehow does manage to prove in matrimonial court that an abuser had wrongly accrued debt to her name, the court's ability to provide relief is profoundly

limited. In family court proceedings, rarely does a court look at financial abuse when making determinations of how to make a survivor whole. Further complicating the matter, neither the IRS nor collection agencies are required to recognize a court's finding that an abuser is responsible for a survivor's coerced debt. Under the current system, a survivor cannot truly discharge a coerced debt. Instead, a survivor is forced to either negotiate directly with her creditors, submit paperwork to the IRS challenging the fraudulent filing or find another lawyer to take her case pro-bono.

This is exactly what happened to Angela, who came to this country with her husband. When Angela arrived in the United States, she planned to enroll in graduate school to further her education and build a career. Instead, her husband pressured her into being a stay-at-home mother, forbidding her from attending school or finding a full-time job. While the parties were looking to buy a home for their growing family, her husband pressured Angela into signing the mortgage application even though she did not fully understand what she was signing. Several years later, her husband asked her to sign documents for a second mortgage and she refused. It was only years later when the parties were in divorce proceedings that she was made aware of the fact that her signature was on the paperwork for the parties' second mortgage, her husband having forged it. During their marriage, her husband opened several credit cards in Angela's name, forging her signature on the credit card applications, and forced her to open several more, racking up close to \$17,000 in credit card debt, resulting in an onslaught of debt collectors and causing her credit score to plummet. Because the credit card debt was in Angela's name, she was unable to convince the collection agencies that it was really her husband who had opened the cards and incurred the debt. Angela's husband continued to economically harm Angela and their four children even after their divorce by repeatedly and falsely claiming their children as his dependents and taking tax refunds and COVID-19 stimulus payments that Angela was entitled to for her children.

## "Taking Care of Finances" and Separate Property

In many families and relationships, it is also common for one party to be designated the money manager or accountant to take care of the family's finances, assets, and debts. Oftentimes, this may be the more financially literate or English-speaking family member or partner, who offers to help in this regard as a demonstration of good faith and kindness. This may be the normal circumstance for many families and relationships, but it can easily be abused. What once started as convenience can quickly become controlling behavior, and money and property that once belonged solely to the survivor can then be used to threaten and coerce the survivor. A survivor is then unable to access her own finances and assets, unable to meet her basic needs, and utterly dependent on the whims of her abuser. Not only is this a prevalent issue in cases of domestic violence, but there has been a rampant rise of this behavior in cases of elder abuse.

Take for example the case of Lilian, who had separate savings of more than \$100,000 from before her marriage. After her marriage, her husband convinced Lilian to invest her savings, arguing that this could help secure their retirement. As Lilian was unfamiliar with investments, she turned over control of the portfolio to her husband believing that her husband had their best interests in mind. Less than a year after the transfer of property, Lilian's husband began to threaten her whenever Lilian asked questions about the investments, telling her that she no longer had any rights to the information, and that he would kick her out of the home if she continued questioning him. Soon the threats turned violent, and Lilian fled her home out of fear. With no savings, she was forced to enter a domestic violence shelter. During their divorce proceedings, the discovery process unveiled Lilian's husband's elaborate scheme. Having obtained her savings, Lilian's husband instead used part of her money to fund his gambling habit, while the rest of her savings was mismanaged in investments that now totaled less than \$10,000. Despite the history of domestic

violence, Lilian was unable to financially recover any of the money or assets wasted by her husband.

### Conclusion

Like physical violence, threats, and stalking, financial abuse is part of the pattern of behavior that is used by individuals perpetrating domestic violence to coerce, control, intimidate, and maintain power over the survivor. Financial abuse and coercion have a disproportionate impact on survivors as it dramatically limits their options and access to resources and is often a significant contributing factor in keeping people in abusive relationships.

We thank the Committee on Women and Gender Equity and Committee on Civil and Human Rights for their leadership in addressing the issues facing survivors of domestic and intimate partner violence. We hope we can continue to be a resource for you going forward.

Respectfully submitted,

New York Legal Assistance Group



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Testimony of blair dorosh-walther,  
Economic Empowerment Program Manager, Safe Horizon

New York City Council Committee on Women and Gender Equity jointly  
with the Committee on Civil and Human Rights

Safe Horizon's Testimony on Coerced Debt in New York City

12.012.2022

Good morning. Thank you for the opportunity to provide testimony before both Committees. My name is Blair Doroshwalther and I am the Manager of Economic Empowerment at Safe Horizon, the nation's largest non-profit victim services organization. Safe Horizon offers a client-centered, trauma-informed response to 250,000 New Yorkers each year who have experienced violence or abuse. We use a lens of racial equity to guide our work with clients, with each other, and in developing the public positions we hold.

Safe Horizon supports Int. 148-2022, which I will cover later in my testimony.

In 2022 Safe Horizon completed a listening tour of clients and advocates throughout our agency. We found the top two priorities for survivors are permanent housing and financial stability.

Economic abuse is one of the primary reasons survivors stay with their abuser or person(s) causing harm. This turns into lifelong financial instability, housing insecurity, and continuous retraumatization for survivors and their families.

A survivor I worked with spent \$11,000 to flee her home in California. Her partner removed all their savings from a joint account. She owes an additional \$64,000 from coerced debt and identity theft related charges.

There is no pathway for coerced debt relief or the necessary survival debt she accrued.

Survivors experience further economic abuse from the institutions that are ill-equipped to support and protect them. While in New York City, she found a part-time job qualifying her for CityFHEPS – the Family Homelessness and Eviction Prevention Supplement. After applying for an apartment, a potential landlord denied her application due to her low credit score. This system traps survivors in a cycle of poverty.

This is a survivor's debt.

Therefore, Safe Horizon strongly supports the following:

- Remove credit checks from all housing applications
- Provide flexible funding assistance programs for survivors
- Create and fund an Advisory Committee of advocates, survivors, and local representatives to ensure benefits are effectively provided for all New Yorkers

Lastly, Safe Horizon joins advocates in urging this Council to pass **Int. No. 148-2022** —A Local Law expanding protections for domestic violence survivors to include economic abuse. This will allow the NYC Commission on Human Rights to enforce housing, employment, and public accommodation violations on behalf of survivors of economic abuse.

I respectfully ask the Committee to partner with survivors and advocates ensuring we stop charging survivors for the debts of their own violence and trauma.

Thank you for your time, and I am happy to answer any additional questions.

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Written Testimony of blair dorosh-walther,  
Economic Empowerment Program Manager, Safe Horizon

New York City Council Committee on Women and Gender Equity  
jointly with the  
Committee on Civil and Human Rights

Safe Horizon's Testimony on Coerced Debt in New York City

12.12.2022

Thank you for the opportunity to provide written testimony before the Committee on Women and Gender Equity and the Committee on Civil and Human Rights. My name is Blair Doroshwalther and I am the Manager of Economic Empowerment at Safe Horizon, the nation's largest non-profit victim services organization. Safe Horizon offers a client-centered, trauma-informed response to 250,000 New Yorkers each year who have experienced violence or abuse. We are increasingly using a lens of racial equity and racial justice to guide our work with clients, with each other, and in developing the public positions we hold.

Safe Horizon has programs across New York City's five boroughs where we provide critical support and services to victims and survivors of all forms of violence and abuse.

Safe Horizon supports **Int. No. 148-2022**, which I will cover later in my testimony.

In 2022 Safe Horizon completed a listening tour of clients and advocates throughout our agency. We found the top two priorities for survivors were permanent housing and financial stability. Economic abuse is one of the primary reasons survivors stay with a person(s) causing them harm. Without access to flexible funding, it can be nearly impossible for a survivor to leave an abusive situation. Permanent housing alone does not fix lasting economic abuse.

I focus my testimony on how the short-term effects of economic abuse turn into lifelong financial instability, housing insecurity, and continuous retraumatization for survivors and their families.

In August I met with survivor, C.T. We pulled her credit report from each of the three credit bureaus. This is the debt we found:

1. \$56,028 in student loans. However, due to the abuse, she was unable to attend school.
2. \$1,176 to American Express. She was threatened to open this credit card for her harm doer.
3. \$1,897 on a Bank of America card with a limit of \$500. She did not recognize this card.
4. \$7,019 in collections of unknown charges.
5. \$600 and \$2,321 on two separate Capital One accounts. She only recognized one account.
6. \$206 to Game Stop via Comenity Bank. This account was closed, but she had never heard of Game Stop.
7. \$442 to City Bank. She was threatened to open this credit card for her harm doer.
8. There were seven unrecognized hard inquiries for credit cards and insurance companies as well as four addresses in states she had never lived.

C.T. opened a credit card, spending \$11,216 to flee her home in California with her two children. This amount far exceeded the credit card's limit. However, she cannot dispute this item on her credit report, as survival spending is not taken into consideration for a credit score. When she fled, her car broke down, so she left it on the side of the road.

Prior to leaving, her partner removed all their money from a joint savings account. Since she had to flee the state, she no longer has an income source. Through identity theft, coercion, and survival spending, C.T.'s total debt is \$82,742. She now lives in a confidential shelter with her two children. Her credit score has plummeted.

This is a survivor's debt.

While in New York City, C.T. found a part-time job which qualifies her for CityFHEPS – the Family Homelessness and Eviction Prevention Supplement. She applied for an apartment but was denied due to her low credit score and the high amount of debt on her credit report.

Many survivors face economic abuse by their partners and then further economic abuse from the institutions that are ill-equipped to support and protect them. Survivors have trouble opening checking accounts, savings accounts, credit cards, utility accounts, and even public assistance cases. And, of course, they have trouble securing housing. Additionally, low credit scores increase interest rates, affecting future home purchases, auto loans and credit cards. This debt can remain on a credit report from three to seven years or a lifetime, depending on the type of debt owed. Survivors may have trouble finding childcare because they no longer have access to funds, which then makes it difficult to find and/or keep a job. This system traps survivors, forces them into poverty, and keeps them in poverty.

Furthermore, we have found that it is difficult for survivors to file a police report for identity theft. Though family court orders of protection include violations of Identity Theft and Grand Larceny, the NYPD generally do not recognize these offenses as a violation of the order of protection. To dispute a utility charge and other charges, survivors often must provide a police report as proof. Again, this system traps survivors.

Exploitation and financial sabotage exacerbate a survivor's ability for immediate and long-term financial independence, trapping survivors in poverty. So too does the poverty-level income needed to remain on public assistance to then remain in a vouchered apartment. Beyond the economic abuse caused during the relationship, the debt continues to accrue even after a survivor has fled, impacting their long-term financial stability. The individual economic cost to a survivor throughout their lifetime is nearly <sup>i</sup>\$104,000, according to the CDC. This doesn't include the lasting psychological effects of economic abuse. Imagine paying or owing hundreds or thousands of dollars resulting from abuse.

Economic abuse and lack of affordable housing ensure poverty for all low-income New Yorkers. Poverty is not the fault of an individual, family, or even a community. Intimate partner violence, economic abuse, and poverty do not stem from personal flaws but from the failures of the city, state, and federal government to meet the needs of its constituents.

Survivors continue to pay medical bills, legal fees, and so many other expenses related to or resulting from their abuse. And survivors continue to endure the lengthy time it takes to find employment, childcare, and a new school system for their children. Domestic violence also impacts all of us. In fact, medical care, lost work or loss of productivity, criminal legal-related costs, and other DV-related expenses cost the U.S. a total of <sup>ii</sup>\$3.6 trillion in a lifetime. This cost increased severely over the first two years of the COVID-19 pandemic, which also disproportionately affected survivors, specifically survivors of color.

Survivors may spend their lifetime attempting to pay off the debts of their abusers or harm doers. Every credit checked, every debt owed, and every unmet need due to economic abuse retraumatizes survivors and their families.

We must invest in economic stability and independence. We must invest in permanent and safe affordable housing so survivors can live and thrive. We must invest in the opportunity for upward mobility. Therefore, Safe Horizon strongly supports the following:

- Forgive survivors' debt caused by economic abuse.
- Remove credit checks from all housing applications.
- Provide unrestricted cash assistance programs for survivors, including programs that allow survivors to pay off debt.
- Make it illegal for survivors to be denied safe housing in their preferred community due to damaged credit, use of city vouchers/programs, history of incarceration, gender identity, or immigration status.
- Expand public benefits and housing subsidies to immigrant and undocumented survivors.
- Expand and fund childcare throughout the city.
- Provide and ensure the necessary funding for consumer attorneys and advocates.
- Create and fund an Advisory Committee staffed with advocates, survivors, and local representatives to ensure that the systems delivering benefits are most impactful.

Lastly, Safe Horizon joins advocates in urging this Council to pass **Int. No. 148-2022** - A Local Law expanding protections for domestic violence survivors to include economic abuse. Economic abuse has a lasting impact and can prohibit survivors of all forms of violence from moving toward financial stability and independence. Adding economic abuse to the Human Rights Law will allow the NYC Commission on Human Rights to enforce housing, employment, and public accommodation violations on behalf of survivors of economic abuse. This is an important step in the right direction in addressing the scourge of economic abuse, though we encourage our City and State governments to continue to expand protections and supports for survivors. Additionally, if **Int. No. 148-2022** is passed, the City should conduct public outreach to let all New Yorkers know about these important changes.

I respectfully ask the Committee to partner with survivors and advocates in moving our city forward and ensuring that we stop charging survivors for the debts of their own violence and trauma.

Thank you for your time, and I am happy to answer any additional questions.

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<sup>i</sup> Center for Disease Control factsheet on intimate partner violence  
<https://www.cdc.gov/violenceprevention/intimatepartnerviolence/fastfact.html>

<sup>ii</sup> Center for Disease Control factsheet on intimate partner violence  
<https://www.cdc.gov/violenceprevention/intimatepartnerviolence/fastfact.html>

**Testimony from the Legal Aid Society to The New York City Council Committee on Civil and Human Rights and Committee on Women and Gender Equity on Coerced Debt**

T2022-2392, Oversight Hearing – Coerced Debt

Date: December 12, 2022

The Legal Aid Society respectfully submits this comment to the New York City Council Committee on Civil and Human Rights and Committee on Women and Gender Equity in connection with the Oversight Hearing on the issue of Coerced Debt. We appreciate the opportunity to comment and offer our insights and recommendations on this issue.

The Legal Aid Society is the nation's oldest and largest not-for-profit legal services organization. The Society is an important part of the legal, social, and economic fabric of New York City, advocating for low-income individuals and families in criminal, civil, and juvenile rights matters and fighting for legal protections and reform. With an annual caseload of more than 300,000 legal matters, the Society takes on more cases for more clients than any other legal services organization in the United States. In addition, the Society's law reform and social justice advocacy benefits some two million low-income individuals and families in New York City. We are a community leader for vulnerable individuals and collaborate closely with community and social services partners. With decades of impact litigation, and legislative and policy advocacy work, we fight and advance efforts to improve the law.

The Legal Aid Society's Consumer Law Project represents and assists low-income consumers in a range of matters, including defending individuals in consumer debt litigation in the New York City Civil Courts, representing consumers in affirmative litigation for violation of consumer rights, including under the Fair Debt Collection Practices Act, assisting victims of fraud,

identity theft, financial abuse, and scams, and advocating on their behalf with financial institutions as well as government regulators. We strive to challenge systemic injustice and discrimination by financial institutions to help protect and strengthen the rights of low-income consumers. Through this work, we have seen first-hand the impact of coerced debt on survivors of domestic violence.

### **I. How Survivors of Domestic Violence Experience Coerced Debt**

Over 90% of survivors of domestic violence experience financial abuse including coerced debt.<sup>1</sup> Coerced debt can be incurred when an abuser either secretly or under the guise of help for the survivor uses a survivor's personal identifying information to incur debt in the survivor's name, or when an abuser uses violence or manipulation to create a context which removes a survivor's ability to protest instructions to fill out applications for credit in the name of the survivor, for the benefit of the abuser.

Some of my clients report that their abusers specifically weaponized common security weaknesses in consumer financial products to exert control during and after the abusive relationship. For example, an abuser would obtain a survivor's social security number, bank account information, or credit card, and later threaten that this would give the abuser lifelong control over the survivor's finances and access to information about future movements. This threat is made real when credit reporting agencies and banks refuse to cooperate with a survivor's request to maintain security measures, leaving information about addresses and locations vulnerable to long-term monitoring by the abuser. Abusers also put debts in the survivor's name, while retaining assets for themselves, and make it clear to the survivor that leaving the relationship or challenging their control would result in permanent homelessness or long-term financial ruin. And in fact,

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<sup>1</sup> Adrienne Adams, et al., *Development of the scale of economic abuse*, VIOLENCE AGAINST WOMEN 14(5), 563–588 (2008), <http://doi.org/10.1177/1077801208315529>.



survivors are often unable to leave shelter for themselves and their children for years after leaving their abuser, because both landlords and mortgage lenders commonly rely upon tenant screening reports, credit reports, or credit scores, even when these products are not a reliable demonstration of ability to pay rent.<sup>2</sup> Even survivors and their children who obtain housing may face long-term financial and psychological repercussions from coerced debt. Each call or letter from a debt collector, and the doubts, assumptions, and criticisms expressed by bank employees, debt collectors, police, attorneys, and judges, re-emphasize the power the abuser can maintain to oppress the survivor and limit their options for the future. The necessity of having “good” credit for housing and other social and economic needs, along with the structural barriers to error resolution in debt collection practices and credit reporting and scoring systems, make coerced debt a powerful barrier to survivors’ ability to leave abusive relationships and recover from their effects.<sup>3</sup>

## **II. Challenges Faced by Survivors Seeking to Recover from Coerced Debt**

Survivors face an uphill battle when trying to clear their name by resolving debts they did not willingly incur and resolving damage to credit resulting from coerced debt. To challenge a debt collector’s narrative that the survivor is responsible for a debt incurred by an abuser, a survivor often has to detail the abuse they survived again and again – to service providers, bank employees, debt collectors, credit reporting agencies, and law enforcement. Banks, unlike survivors of

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<sup>2</sup> Consumer Financial Protection Bureau, *Consumer Reporting*, SUPERVISORY HIGHLIGHTS 26 (May 2022) [https://files.consumerfinance.gov/f/documents/cfpb\\_supervisory-highlights\\_issue-26\\_2022-04.pdf](https://files.consumerfinance.gov/f/documents/cfpb_supervisory-highlights_issue-26_2022-04.pdf); Consumer Financial Protection Bureau, *Tenant Background Checks Market* (November 2022), [https://files.consumerfinance.gov/f/documents/cfpb\\_tenant-background-checks-market\\_report\\_2022-11.pdf](https://files.consumerfinance.gov/f/documents/cfpb_tenant-background-checks-market_report_2022-11.pdf).

<sup>3</sup> Diane Johnston & Divya Subrahmanyam, *Denied: How Economic Abuse Perpetuates Homelessness for Domestic Violence Survivors* (September 2018), [https://www.fordham.edu/download/downloads/id/11883/denied\\_how\\_economic\\_abuse\\_perpetuates\\_homelessness\\_for\\_domestic\\_violence\\_survivors.pdf](https://www.fordham.edu/download/downloads/id/11883/denied_how_economic_abuse_perpetuates_homelessness_for_domestic_violence_survivors.pdf).

domestic violence, often have enough information to know when a transaction is suspicious moments after the transaction occurs.<sup>4</sup> But especially for many low-income, Black, Latinx, and LGBTQ+ survivors who have experienced coerced debt, banks and their debt collectors profit from a system which allows them to label certain individuals as not being credible, and choose to disregard signs of malfeasance, burdening survivors with the time and expense of identifying, investigating, and reporting coerced debt, while tacking on interest and fees at rates of the bank or debt collector's choosing.

Banks and debt collectors regularly continue collection of coerced debts despite having or receiving from survivors evidence of the non-consensual circumstances by which they were incurred, by claiming they refuse to find survivors credible and demanding police reports. This requires the survivor to seek police reports from resistant and skeptical police officers, recounting and reliving the experiences of the domestic violence in police stations multiple times over the course of several days or weeks because police often refuse to take reports about crimes of identity theft or claim that they need an affidavit from the financial institution authorizing them to do so. Banks and debt collectors then can, and often do, choose to ignore law enforcement reports that have been provided, making the time, effort, and re-traumatization of recounting the domestic violence and coerced debt simply another cost of the coerced debt for which they seem to be intent on punishing the survivor. Meanwhile, the amount and impact of the debt keeps climbing with the fees and interest rate the creditor has chosen to apply.

Survivors of domestic violence and especially Black, Latinx, and LGBTQ+ victims of identity theft must balance risks to their own safety and the safety of their families and

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<sup>4</sup> Juniper Research, *Online Payment Fraud Whitepaper 2016-2020* (July 2016) <https://www.experian.com/assets/decision-analytics/white-papers/juniper-research-online-payment-fraud-wp-2016.pdf>.

communities when required to get a police report to access important consumer legal protections.<sup>19</sup> We have over the past few years increased our acknowledgment of disparate treatment by law enforcement, yet bank employees and debt collectors often claim to require not simply a self-attestation which they can investigate by comparing it to the data they have about the debt and how it was incurred, but also for victims of identity theft to persuade the police to take a report about identity theft that may have happened years ago. This system puts significant burdens on survivors of domestic violence, who must confront and persuade the police and creditors to allow access to consumer protection, while banks, debt collectors, and predatory financial service providers continue to profit from practices which re-traumatize survivors by needlessly challenging their credibility and demanding difficult-to-obtain police reports to obtain a chance at being considered for – not even guaranteed – relief.

Survivors who have jobs, familial responsibilities, or physical or mental health challenges may lack the extensive resources required to complete the existing process for recovery from coerced debt, and face court cases about debts which leave survivors no choice but to accept either costly settlements, garnishments from wages, or extraction of funds from bank accounts.<sup>5</sup> This can impact the financial well-being of the survivor and their family for years to come. However, proper identification of coerced debt and alternatives to survivors having to pay it could mitigate these circumstances and give survivors and their families real freedom and options for recovery from

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<sup>5</sup> A study of Legal Aid Society clients found that over one in three survivors of domestic violence had been sued at least once for a consumer debt, and one in six had a judgment against them from a consumer debt case. Diane Johnston & Divya Subrahmanyam, *Denied: How Economic Abuse Perpetuates Homelessness for Domestic Violence Survivors* (September 2018), [https://www.fordham.edu/download/downloads/id/11883/denied\\_how\\_economic\\_abuse\\_perpetuates\\_homelessness\\_for\\_domestic\\_violence\\_survivors.pdf](https://www.fordham.edu/download/downloads/id/11883/denied_how_economic_abuse_perpetuates_homelessness_for_domestic_violence_survivors.pdf).

these systems from which domestic abusers benefit, and debt collectors profit, at the expense of the survivor and their family.

### **III. Proposals**

Obtaining housing is one of the primary challenges for survivors for whom coerced debt impacts their credit reporting and scoring. For this reason, we recommend reforming or replacing the role of credit and tenant screening in housing, and instead focusing on access to resources more relevant to payment of rent, such as current income, savings, or receipt of public benefits. In addition, housing designated as survivor-centered “communities of care” beyond shelter which enable survivors to live, share childcare, and support each other, would provide an important home base for survivors engaged in the multiple-year process of healing and recovery.

The costs of childcare, transportation, time off work, add up for survivors traveling to service providers, police stations, and court while working to resolve coerced debt. For this reason, we support cash assistance programs for survivors which survivors could use at their own discretion – this is important particularly because survivors already have experienced significant control over their finances and burdensome restrictions on use of funds would unfairly replicate that experience.

We recommend training programs for the judiciary, NYPD, HRA, and other city agencies on recognizing and developing procedures appropriate for coerced debt, economic abuse, and identity theft. Proper recognition of coerced debt and domestic violence, and sensitive treatment thereof, could reduce the re-traumatizing and time-intensive aspects of procedures to obtain relief.

We support Int. No. 148, which would include economic abuse as a form of domestic violence under New York City Human Rights Law, to reflect the reality that coerced debt and

other financial abuse are weaponized by abusers and pose barriers to leaving and recovering from abusive relationships.

Finally, we ask the City Council to expand funding for consumer legal and financial counseling services. Supporting survivors with the process of resolving coerced debt requires sensitivity and persistence, so it is imperative that caseloads remain sustainable so that survivors get the full scope of assistance they need for recovery, with providers who can develop expertise by remaining in these roles for decades to come. Funding additional legal service providers and financial counselors throughout the five boroughs, including at family justice centers, are necessary to ensure that all survivors have a chance to access the resources they need to fully recover and heal. Thank you for holding a hearing on this critical issue and the opportunity to submit our testimony.

Claire P. Mooney

DV-Consumer Staff Attorney

Cmooney@legal-aid.org

**Testimony on behalf of Turning Point for Women and Families  
For the New York City Council Committee on Women & Gender Equity  
and the Committee on Civil & Human Rights  
December 12, 2022**

Good afternoon. My name is Tasnia Ahamed and I am the deputy director at Turning Point for Women and Families. Thank you for the opportunity to testify this afternoon.

Turning Point for Women and Families was founded in 2004 as the first nonprofit to directly address domestic violence in New York City's Muslim community. We provide services to Muslim women and girls through individual counseling, support groups, leadership workshops, ESOL and citizenship classes, referrals to legal, public benefits and other resources, advocacy and much more. We serve an average of 100 survivors of domestic violence and their children each year. While we have made great strides by supporting survivors of domestic violence, young women, and elders in NYC's Muslim community, survivors still face many barriers to getting justice and becoming financially stable.

One of the biggest obstacles DV survivors encounter in establishing safety is lack of financial stability. Economic abuse is commonly used to maintain power and control and while it may not leave physical marks on a victim's body, it has long-lasting effects on their life. According to the National Network to End Domestic Violence (NNEDV), economic abuse occurs in 99% of domestic violence cases and may take the following forms:

- Sabotaging a victim's employment
- Preventing a victim from going to work or even seeking employment
- Applying for credit cards, obtaining loans, or opening other financial accounts in a victim's name without consent
- Refusing to pay bills thus ruining a victim's credit score

- Preventing a victim from accessing existing funds such as cash, bank accounts, credit cards, and more

We hear from survivors time and again, about how abusers force them to hand over paychecks, dictate their employment status, prevent them from opening their own bank accounts, and take credit cards out in their name, ruining their credit history. The most recent example is of the COVID-19 pandemic during which many survivors did not receive the federal stimulus payments on behalf of themselves or their children because the funds were directly deposited into their abuser's account. When survivors seek legal recourse for this issue, they are told that nothing can be done.

Financial stability is key to a survivor's ability to build/rebuild her life and ensure a safe and successful future. When an abusive partner maintains power and control over a survivor's finances, it prevents her from paying her own rent, bills, buying food, or furthering her education. By limiting the definition of domestic violence to only physical violence when it presents itself in multiple forms is a huge disservice to survivors who struggle to overcome the huge barriers caused by lack of financial stability. We strongly urge the City to expand protections for victims of domestic violence to include economic abuse. This will go a long way in helping survivors get the justice that they have long sought.

Thank you.

## Testimony of the Sex Workers Project of the Urban Justice Center

My name is Faris Ilyas, and I am a legal fellow with the Sex Workers Project of the Urban Justice Center. I am submitting this testimony in favor of the proposed changes to the administrative code to expand protections for victims of economic abuse.

The Sex Workers Project of the Urban Justice Center provides legal services to people engaged in sex work and defends the human rights of sex workers through education, research, and policy advocacy. Much of our work involves dispelling myths about sex work, including the popular presumption that sex workers are involved in the sex industry because they are being abused. We at the Sex Workers Project have seen time and again that sex workers are not all victims of abuse who are being forced to work. Instead, we have seen that institutional discrimination and the criminalization of sex work put sex workers at risk of becoming victims of domestic abuse, especially economic abuse. Because we are short on time, I'll provide just a handful of examples of how that happens:

- Exclusion from Public Benefits – In 2020, Congress passed the CARES Act, which established a loan program for small businesses. However, regulations excluded venues that host performances of a “sexual nature”.<sup>1</sup> As a result, many clubs were denied desperately needed aid during the COVID-19 pandemic. Their financial stress ultimately fell on dancers who either had to find other work or who took home a smaller percentage of their earnings. Exclusion from COVID-19 relief and other public benefits, like unemployment, caused many sex workers to have no choice but to rely on the support of abusive partners.
- Discrimination in Financial Services Sector – Banks and financial institutions have increasingly singled out sex workers by terminating or freezing their accounts.<sup>2</sup> This and other discriminatory practices force sex workers to rely on cash payments, making it easy for a partner they live with to physically control their earnings. In addition, being shut out of financial institutions means that sex workers cannot build credit and cannot obtain a lease or a loan that would allow them to live independently.
- Criminalization – Many sex workers have criminal records because of archaic laws fully or partially criminalizing prostitution in every state. These workers then experience housing and employment discrimination due to their criminal records, making them more reliant on abusive partners. Because sex work is criminalized, many sex workers operate outside of formal banking systems and rely on cash payments from clients. This again, makes it easy for an abusive partner to take their earnings. Abusers often threaten to expose sex workers to the police, ICE, and, if they are parents, to CPS. And because of criminalization, sex workers cannot report domestic abuse to local authorities.

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<sup>1</sup> [https://minnesotalawreview.org/2021/04/30/paycheck-protection-discrimination-denial-of-loans-to-sex-related-businesses-is-a-dangerous-expansion-of-government-speech/?utm\\_source=rss&utm\\_medium=rss&utm\\_campaign=paycheck-protection-discrimination-denial-of-loans-to-sex-related-businesses-is-a-dangerous-expansion-of-government-speech](https://minnesotalawreview.org/2021/04/30/paycheck-protection-discrimination-denial-of-loans-to-sex-related-businesses-is-a-dangerous-expansion-of-government-speech/?utm_source=rss&utm_medium=rss&utm_campaign=paycheck-protection-discrimination-denial-of-loans-to-sex-related-businesses-is-a-dangerous-expansion-of-government-speech)

<sup>2</sup> <https://www.rollingstone.com/culture/culture-news/wells-fargo-banning-sex-workers-pornhub-1234586754/>



The city has demonstrated its commitment to the safety of the sex worker community by supporting the repeal of the “Walking While Trans Ban”, which was passed by your colleagues on the state level, and through non-prosecution policies in some DA offices. But the city must do more to rectify its role in the harm that sex workers still experience, including fully decriminalizing sex work, and by recognizing economic abuse as a form of domestic abuse. With this law, sex workers can have access to justice and access to support systems that they are routinely denied.



## Testimony of Urban Resource Institute before the New York City Council Committees on Gender Equity on Coerced Debt

Teal Inzunza, LMSW  
December 12, 2022

### Overview

Good afternoon, Chair Cabán, Chair Williams and honorable members of both committees. My name is Teal Inzunza. I am the Program Director of the Economic Empowerment Program at the Urban Resource Institute (URI). I also co-chair a citywide taskforce called the Domestic Violence and Economic Justice Taskforce, which is composed of advocates from around New York City. Through my coalition work with many other advocates, I have recently co-authored a report entitled [Reinvesting in Economic Justice, Equity, and Solidarity for Survivors in NYC](#) which focuses on policy recommendations for coerced debt, housing, public benefits and solidarity economies. I am thankful for the opportunity to testify before you and share what we have seen as issues for domestic violence survivors who have experienced coerced debt.

URI has been in operation for 40 years and has grown to become the largest domestic violence (DV) shelter provider in the country. URI currently provides approximately 1,200 beds to survivors of domestic violence on any given night and will be increasing our Tier II capacity in the near future. URI remains committed to developing and delivering innovative, client-centered and trauma-informed services to survivors of domestic violence and their families, homeless families, and other vulnerable populations, including people who cause harm.

### Economic Abuse

URI operates its programming with the understanding that domestic violence can happen to anyone and that the impact of DV is compounded by systemic oppression and poverty. For many survivors, poverty can be compounded by the devastating impacts of economic abuse, which often includes coerced debt. Economic abuse is a nearly universal experience among DV survivors with around 98% of all survivors reporting that they have experienced this form of abuse. Economic abuse occurs when one person uses tactics of power and control to restrain or sabotage another person's ability to acquire, use or maintain economic resources to which they are entitled.

Across URI's DV programs over the past three years, 388 survivors answered yes when asked if they had ever been restricted from accessing their documents, such as their ID, passport, or social security card. Within URI's Economic Empowerment Program, one third of all clients who enter the program have reported that they have had to give all or part of the money they earned directly to a partner or family member.

Typically, an abuser uses this information to restrict an individual's access to their finances or obtain loans or other financial benefits. Identity theft occurs when an abusive partner uses a survivor's personal identifying information without their knowledge for financial gain. There are laws to protect people who have experienced identity theft; they allow a person to file a police report in any precinct, which is a necessary precondition to successfully removing fraudulent charges from one's credit file.

In the years that I have been an DV and economic justice advocate in New York City, I have almost never seen a DV survivor obtain an identity theft police report from any New York City precinct. Instead, I have seen and heard about poorly trained officers who do not understand economic abuse refusing to even take a report, because they wrongly believe that identity theft among family members or partners "is a family issue" and not worthy of intervention.

Survivors are routinely misdirected to different precincts or agencies, and get the run around, but no relief. The ripple effects are significant – survivors who are denied a police report documenting identity theft will struggle to remove the fraudulent charges from their credit. These accumulated non-consensual debts impact survivors' credit score and overall credit worthiness.

Survivors who are in shelter need "good" credit to find housing; bad credit can lengthen the amount of time a survivor or a family will have to stay in shelter. Debt collectors often use threatening and harassing means to attempt to collect a debt, which can be intimidating, particularly for those who have already experienced significant trauma.

### **Coerced Debt**

In addition to identity theft, an abusive partner may restrict or limit a person's ability to work, prevent them from accessing their own money, or coerce the survivor to take out a credit or a loan, or incur more debt. Coerced debt is defined as debt that was incurred as a result of fraud, duress, intimidation, coercion, threat, force, manipulation, undue influence, or the non-consensual use of the debtor's personal information. For example, an abuser or a person who causes harm may threaten to hurt the survivor, their children, friends, family members, or pets if they do not open a credit card in their name and allow the person access to using it.

At URI in the past three years, over 260 clients have reported at intake that they have been forced to sign for credit or larger purchases by an abusive partner. Over 230 survivors reported that they had been forced to sign bank documents by an abusive partner. Currently in New York State there are no legal protections for survivors of coerced debt. When a survivor hears that they may be saddled with debt to which they never consensually agreed, they often feel extremely hopeless and overwhelmed by having few options. This level of debt can often impact a survivor and their families for years to come, sometimes decades, and it not only affects them but future generations as well.

Abusive partners will often run up high bills on credit cards, purchase cars that a survivor cannot drive or use, open phone bills in their name and then stop paying for them, which all result in catastrophic financial impact on the survivor.

As a result of coerced debt survivors are often barred from doing business with certain phone companies or banks. Trying to access services or find housing without a working cell phone is nearly impossible in a city like New York. In addition, having a low credit score as a result of coerced debt

means that trying to obtain housing is exceptionally difficult. It can also make it difficult to pay for basic needs, childcare, and higher education, to name just a few.

### **Recommendations**

Experiencing economic abuse is not only traumatizing for survivors, but it is also incredibly expensive. Navigating the systems, like the credit reporting agencies and the banking system, that a survivor needs to access as they work to rebuild their lives, is difficult without the assistance of a trained advocate or attorney.

URI's Economic Empowerment Program, and others like it, support survivors in moving through the complicated steps to rectify these issues, when possible. In particular, when it comes to issues around finances, URI supports survivors with creating budgeting plans, in running their credit, understanding what is on their credit, supporting them in dealing with complicated issues such as identity theft and coerced debt, and connecting them with pro bono attorneys who can assist them with these issues.

Currently there are a few small programs throughout New York City that provide survivors with access to similar support, but the need for our services far outpaces our collective capacity to provide economic empowerment. URI's Economic Empowerment Program has helped hundreds of survivors and their families to grow their financial futures, but we have a desperate need for additional funding so that we can serve more survivors and their families. We currently have a waitlist of 140 individuals who would like to receive these services, but unfortunately our staff are at capacity.

DV survivors also need access to pro bono consumer law services, which are desperately underfunded. URI recommends that the city invest in increasing funding for DV-specific consumer law services.

URI encourages the city to pass Int. 148, which would provide survivors of coerced debt with some protection. And we further encourage the City Council to advocate that the State pass comprehensive coerced debt legislation ensuring that the short- and long-term effects of coerced debt do not continue to negatively impact survivors of domestic violence.

URI also recommends that an oversight committee is created and dedicated to attaining economic justice for survivors of DV. The committee should include survivors and advocates and compensate survivors for their work to provide valuable input toward the creation of new programs for survivors.

URI recommends that the City consider policies that bar landlords from discriminating against survivors whose credit has been negatively impacted as a result of domestic violence. The recently reauthorized Violence Against Women Act includes economic abuse as a protected factor and we would encourage the city to be compliant with those protections.

URI further recommends that the city funds research into economic abuse so that there is an understanding of the scope and depth of the issue of coerced debt.

And we would encourage the City to fund the Support Survivors bill, which when fully funded, will enable survivors to be able to mitigate costs that are a result of economic abuse and allow survivors to have access to funds for their immediate needs of the DV.

I thank you again for the opportunity to present URI's testimony on economic abuse and coerced debt and look forward to working with the New York City Council and the Adams' Administration to implement these solutions. Thank you.



**Testimony to the New York City Council Joint Committee on Women and Gender Equity  
and Committee on Civil and Human Rights  
Expanding Protections for Victims of Domestic Violence  
December 12, 2022**

**Introduction and Thanks:**

My name is Jacqueline Collazo, LMHC, and I am the Sector Director of Domestic Violence Services for Volunteers of America-Greater New York (VOA-GNY). We are the local affiliate of the national organization, Volunteers of America, Inc. (VOA). I would like to thank Chair Williams, Chair Cabán as well as the other members of this Committee, for the opportunity to offer the following testimony.

**About Us:**

VOA-GNY is an anti-poverty organization that aims to end homelessness in the New York area by 2050 through housing, health and wealth building services. We are one of the region's largest human service providers, impacting more than 11,000 adults and children annually through 65 programs in New York City, Northern New Jersey, and Westchester. We are also an active nonprofit developer of supportive and affordable housing, with a robust portfolio of permanent supportive housing, affordable and senior housing properties—with more in the pipeline.

**Expanding Protections for Survivors of Domestic Violence:**

First, I would like to thank Chair Cabán and Chair Williams for hosting this important hearing. VOA-GNY works with survivors of domestic violence at our seven confidentially located residences throughout the City, and assists many more in our shelters, transitional housing and supportive housing. The focus on this population throughout several Committee hearings in 2022, and through important initiatives such as DoVE funding and the microgrant program passed by the Council, have been heartening for us as advocates and providers. This is a Council that understands the challenges our clients face.

We support Int. 0148, expanding protections to include those who suffer economic abuse. Financial abuse and coercion are real challenges that our survivors face. These take many forms. Our clients have experienced their abusers stealing funds they earned from shared accounts, or by controlling the account and passing along only a fraction of the earned income to their partner. Credit has been ruined and debt accumulated with no intention of payback, severely damaging our clients' ability to find and secure permanent housing. Abusers have visited workplaces, stalking their partners and threatening their ability to earn altogether.

In a high-cost area like New York City, entwined finances and the difficulty of being a one-earner household, especially with the involvement of children, keep people in domestic violence situations longer than they should. It is simply too difficult to meet costs. This gives abusers leverage and it makes finances into another tool for abuse. Sadly, all of these challenges are more pronounced in the undocumented survivors that we work with, demonstrating the intersectionality of these problems. Overall, many do not realize that economic abuse is a form of DV, which we hope will change with this legislation.

Thank you for your consideration of our testimony and commitment to this issue.

*Respectfully submitted by:*

Volunteers of America - Greater New York  
135 West 50th Street, 9th Floor  
New York, NY 10020



Breaking the Cycle of Homelessness  
for Women and their Children

Testimony of Win (formerly Women In Need, Inc.)  
for the New York City Council Committees on Civil and Human Rights & Women and Gender  
Equity in Support of Intro 148

Thank you to Chair Williams and Chair Cabán and to the esteemed members of the Committees on Civil and Human Rights and Women and Gender Equity. We are here today to express our strong support for Intro 148, which would amend the definition of “victim of domestic abuse” in the City’s administrative code to include victims of economic abuse and would extend existing protections for domestic violence victims to also include those who have been subjected to economic abuse.

Win is New York City’s largest provider of shelter and services to families with children experiencing homelessness. In total, more than 10 percent of homeless families with children in New York City live in Win shelters. For our families and others across the country, domestic violence is a major factor of housing insecurity and homelessness. Nationwide, more than 80% of women with children who have been homeless have also experienced domestic violence, and in New York, domestic violence is a leading cause of homelessness.<sup>1</sup> Of the 2,200 families Win houses, 90% are led by women, many of whom have entered a homeless shelter after fleeing domestic violence. Intimate partner violence also has a generational impact, and over 230,000 children living in shelters are believed to suffer from trauma associated with exposure to domestic violence.<sup>2</sup>

However, for housing insecure and homeless families, the social services and protections that New York City provides to survivors can offer life-saving support. Extending these benefits under Intro 148 to domestic violence victims of economic abuse will expand critical rights to those in need and help families in their recovery. The protections granted to domestic violence victims have been an essential tool to abate the rate of homelessness among survivors and to move homeless victims of abuse into permanent and safe housing. Survivors of economic abuse, which 99% of domestic violence victims experience, also deserve these rights.<sup>3</sup> As an organization that provides housing and trauma-informed services for survivors and their families, Win encourages the City Council to enact Intro 148 and amend the definition of “victim of domestic violence.”

For our families, homelessness is frequently an ill-fated outcome of abuse. Victims of gender-based violence often leave their homes to decrease the risk of repeated abuse, and families may rely on homeless shelters as a safe alternative to the home they shared with their abuser. As well, landlords

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<sup>1</sup> “Homelessness in America: Focus on Families with Children,” US Interagency Council on Homelessness, Washington, D.C.: September 2018. Online, [https://www.usich.gov/resources/uploads/asset\\_library/Homeslessness\\_in\\_America\\_Families\\_with\\_Children.pdf](https://www.usich.gov/resources/uploads/asset_library/Homeslessness_in_America_Families_with_Children.pdf) (Accessed November 30, 2022)

<sup>2</sup> “The Intimate Relationship between Domestic Violence and Homelessness,” The Institute for Children, Poverty, & Homelessness, October 27, 2018. <https://www.icphusa.org/commentary/the-intimate-relationship-between-domestic-violence-and-homelessness-2/> (Accessed November 30, 2022)

<sup>3</sup> “Quick Guide: Economic and Financial Abuse,” *The National Coalition Against Domestic Violence* April 12, 2017 <https://ncadv.org/blog/posts/quick-guide-economic-and-financial-abuse> (accessed November 30, 2022).





Breaking the Cycle of Homelessness  
for Women and their Children

sometimes evict victims because of violence that occurred in the home.<sup>4</sup> After a family flees an unsafe living environment or is kicked out of their housing, economic abuse in the form of withholding funds or prohibiting employment can then make it impossible for survivors to live independently. Coerced debt from abuse can result in difficulty finding a permanent home because a victim lacks credit or has poor rental and employment histories.<sup>5</sup> Luckily, in response to these realities, New York City has built the largest network of domestic violence programs in the country, and Win is proud to contribute to the rigorous social services infrastructure in place. However, there is still room to improve the scope of this support. For victims overlooked by the current definition of domestic violence, Intro 148 will allow access to these protections and provide relief for additional families at risk of becoming homeless and for those living in shelter.

For families and victims who are housing insecure because of economic abuse, expanding the definition of domestic violence will protect those who qualify from employment and housing discrimination, thus decreasing survivors' chances of becoming homeless and reducing the overall homeless population. Under Title 8 of the NYC Administrative Code, survivors are protected from housing discrimination based on their status as victims of domestic violence.<sup>6</sup> With the adoption of Intro 148, these rights will extend to victims of economic abuse. Families will be able to stay housed in situations when landlords or tenants might otherwise force them to vacate due to domestic violence related concerns. Additionally, thanks to councilmember Cabán and the co-sponsors of Intro 154, survivors of domestic abuse will soon also benefit from microgrants issued by the Mayor's Office to End Domestic and Gender-based violence.<sup>7</sup> The pilot of this microgrant program was effective in promoting housing stability for survivors, and 40% of service providers who received the grant reported that the funding helped their clients cover rent or remain stably housed.<sup>8</sup>

Intro 148 will also assist housing insecure survivors in gaining and maintaining income. With the current employment protections granted to survivors, victims of economic abuse will be able to stay employed without the risk of losing their earning potential due to domestic violence related absences. Each time a domestic violence victim is assaulted and has to call out of work, he or she misses an average of 7 days of work and incurs \$816 in medical and mental health care costs.<sup>9</sup> However, because of Title 8, victims are protected from unlawful discharge or discipline because of time taken off due to domestic

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<sup>4</sup> "Domestic Violence and Homelessness," National Coalition for the Homeless, Washington, DC: July 2009. Online, <https://www.nationalhomeless.org/factsheets/domestic.pdf> (Accessed November 30, 2022).

<sup>5</sup> Susan Reif and Lisa J. Krisher, "Subsidized Housing and the Unique Needs of Domestic Violence Victim," *Clearing House Review Journal of Poverty Law and Policy* 34, ½ (2000): 20.

<sup>6</sup> New York City Commission on Human Rights, *The New York City Human Rights Law Administrative Code of the City of New York Title 8*, 8-101. <https://www.nyc.gov/site/ocdv/services/legal-protections.page> <https://www.nyc.gov/site/ocdv/services/legal-protections.page> (accessed November 30, 2022).

<sup>7</sup> Council of City of NY Intro No. 154, Requiring the office to end domestic and gender-based violence to create an online services portal and guide, November 22, 2022

<sup>8</sup> "Evaluation Summary Report: Emergency Relief Microgrants Program for Survivors of Domestic and Gender-Based Violence," *NYC Mayor's Office to End Domestic and Gender-Based Violence*, May 2021 <https://www1.nyc.gov/assets/ocdv/downloads/pdf/Emergency-Financial-Relief-Microgrants-Program-Evaluation-Summary-Report.pdf> (accessed November 30, 2022)

<sup>9</sup> Emily F. Rothman, Jeanne Hathaway, Andrea Stidsen, and Heather F. de Vries, "How Employment Helps Female Victims of Intimate Partner Violence: A Qualitative Study," *Journal of Occupational Health Psychology* Vol. 12, No. 2 (2007): 136-143. DOI: 10.1037/1076-8998.12.2.136.



Breaking the Cycle of Homelessness  
for Women and their Children

violence.<sup>10</sup> If discrimination does occur, victims of coerced debt and economic abuse will now have a legal basis to file a civil suit. The law also protects victims from discrimination during the hiring process, which will support survivors of economic abuse as they return to the workplace. In addition to being an essential aspect of remaining housed, employment has also been shown to provide healing benefits for survivors by increasing self-esteem and providing a sense of purpose.<sup>11</sup> For these protections and other programs, Intro 148 will grant an additional way for victims to document their status as survivors of domestic abuse and to qualify for reasonable accommodations that can reduce the risk of homelessness.

For families who do become homeless as a result of economic abuse, Intro 148 will protect parents and children from discrimination as they work to move from a shelter into permanent housing. Once in shelter, victims of domestic violence can work with specialized housing staff to qualify for vouchers that lead to safe and permanent housing. Survivors are granted protection by Title 8 from discrimination based on their status as a victim of domestic violence when they apply for units using these vouchers. This is an essential protection since victims are often refused housing or are offered unfavorable lease terms and conditions due to economic abuse that resulted in poor credit records and employment histories.<sup>12</sup> Title 8 also prevents brokers and landlords from discriminating against victims due to orders of protection and other indicators of domestic violence.<sup>13</sup> Should landlords or brokers exhibit biases or intolerances, the amendment of the City' administrative code will give victims of economic abuse legal leverage to seek justice in court. Intro 148 will thus ensure that victims of economic abuse are also granted these protections against housing discrimination and will help families move from shelter into permanent housing.

Ultimately, in addition to increasing awareness of the many forms that domestic violence can take, Intro 148 will allow all victims of domestic violence equal access to vital City protections. By fortifying the strong foundation of support that New York City already provides to survivors, this legislation will help victims and their children recover from abuse and overcome housing insecurity and homelessness. This is a key change to ending the generational cycle of abuse and homelessness, and we therefore urge City Council to pass Intro 148 and protect homeless families and survivors.

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<sup>10</sup>New York City Commission on Human Rights, *The New York City Human Rights Law Administrative Code of the City of New York Title 8*, 8-107.

<sup>11</sup> Rothman, Hathaway, Stidsen, and de Vries, 138.

<sup>12</sup> "No Vacancy: Housing Discrimination Against Survivors of Domestic Violence in the District of Columbia" *The Equal Rights Center* April 2008.

<sup>13</sup> "Domestic Violence and Homelessness."

## City Hall Testimony

Good afternoon, my name is Alyssa Alvarado, and I am a Financial Empowerment Specialist at the Urban Resource Institute. Thank you to the Council Chairs for hosting this important hearing.

I am here today to share with you a story that was written by one of my clients, that I believe outlines the importance of Int 148 and shows that we need to work harder to support survivors of coerced debt.

Here is her story, which has been deidentified for her safety:

*Everything started when I met my husband over 10 years ago. We got married in our home country and shortly after that he brought me to the United States. Since then, he has treated me so bad, and he began to drink alcohol and smoke marijuana heavily. When he would get home from drinking, it was like a horror movie. He would scream, throw things, and punch the walls. There was one night when he got home so drunk that he put me against the wall and started choking me-- I don't know how but managed to get him off of me. The next day I told him about what he had done, and he said, "you're crazy, that didn't happen."*

*Then I got pregnant and the hell for me got worse. My husband threatened me, he told me the day I left him or took the baby away from him, he would kill my parents.*

*He didn't let me work at the beginning, he was so possessive, controlling my phone, checking every app that I had, called me names like "stupid", "dumb," and more, and he would not let me use make up or pick out my own clothes. Then I started working and he asked me for more than half of what I made, and he did this with every job that I managed to get. Later, he told me to start working and he took all the money, he took all the checks. He never gave me money for anything, I had to ask him for anything that I needed including something so simple as deodorant. Because of his whole control over the money, he felt so much power over me that he opened credit cards under my name with many companies. He used all the money available in the cards. In the beginning he was paying them but then stopped, causing me so much harm to my credit score. Because of that I haven't been able to find an apartment because the landlords ask me for my credit score and it's so bad because of what he did. Since leaving him, I've been living in a domestic violence shelter and this situation is so frustrating because the first thing the landlords ask when I'm about to apply for an apartment is to see my credit score.*

Thank you for listening to my client's important story. I'd like to mention that this client, like others, has had to work with a team of consumer law service providers to try to find resolution. Her story is one of many that I have heard in my role, and I know that the impacts of coerced debt can be long and powerful. I encourage the city council to pass Int 148 and work to make NYC a better place for survivors so that they do not have to struggle the way that the clients that I work with have.

In April 2016 I met my now ex-husband and moved in together in late summer/early fall 2016, and in November 2017 we were married. My credit cards carried zero balances and I saved regularly, contributing to my retirement account, emergency savings and saving for a home.

Around January 2018 the verbal and emotional abuse began. In February the physical abuse began and by March my colleagues started to notice the bruises and cover-up. I continued to try to work at the relationship, questioning myself, wondering what I did wrong.

On July 11, 2018 I woke up to my ex-husband's hands around my throat. I went to the police and filed a police report, moved out of the house and met with an attorney on July 12<sup>th</sup>. The attorney provided guidance and support, helped me complete an order of protection and recommended I start to collect documentation to prepare for the divorce. This is when I started to uncover the financial abuse that was also perpetrated.

Loans taken out in my name from online lenders. Credit cards had been maxed. Credit card cash advance checks written. Checks from my checking account forged with my signature.

When I became aware of these issues, I notified the banks and credit card companies. I followed their instructions to complete fraud affidavits, filed police reports and submitted documented proof. Ultimately the majority of claims were denied.

I felt victimized again.

I wanted to know why the activities were never flagged? Why were cash advance checks allowed to process when I had never used a cash advance check in my life? Why were checks allowed to clear when they were made out to my ex-husband and the signature and the endorsed signature were the same?

When the debts were purchased by debt collectors and we went to court, the same information provided to the banks and credit card companies were provided to the courts. Every time the court found in my favor. Why did it take the courts?

My credit score fell into the low 500s and it had an incredible impact on my finances and my mental health. When I moved to NYC in 2015 my landlord gave me a preferential rate and my security deposit was ½ month rent. After these events I was concerned about the impact it would take on finding an apartment to rent. I once had a landlord tell me that they would rent to me if I put up 12 months rent as security. Luckily, I found one landlord who had a personal experience and the leased me an apartment under typical terms. However, in 2019 when moving I was able to secure a new apartment, but the requirement down payment was 2 times rent for security and first month rent. Buying a house was no longer an option. As long as I can remember when purchasing or leasing a car I was offered low or 0% interest, in April 2021 I purchased a used car and paid 13.6%, some banks denied my loan altogether. In late 2018/early 2019 I started seeing a counselor because of the toll this had on my mental health.

I felt victimized over and over.

I tried to take back my life and fix my credit. I decided to fight for myself and I started to feel empowered. I met with an attorney to understand my options to address the credit issues and the forged checks. I was disheartened to learn that the attorney would only take on the credit card concerns because they could potentially recoup their legal expenses from the credit card companies if we won, but could not do the same with the banks. I wanted to address both, but resigned myself to at least moving forward with this approach while I determined how to address the forged checks.

To proceed I was asked to submit updated police reports with more detail which would have exposed my current address. After having my ex appear at my office twice, bypassing our security and having to call the police to have him removed and re-locating 3 times to protect myself I decided it wasn't worth my safety and I dropped the case. I started to get more depressed and continue to work with a counselor to this day.

I compiled proof that the fraudulent charges are not my fault, including police reports, an order of protection, credit card company and bank affidavits, and copies of checks where my signature was clearly forged, yet banks and credit card companies seemed to ignore all of this, keep incorrect information on my credit report, and take me to court while I have continued to suffer the effects of debts I did not incur.

As of today I still have 2 debt collection activities on my credit report and my score is slowly improving. I have resigned myself to "wait out the clock" with respect to the negative items on my credit report and will continue to fight in court any action that is taken. I was pleased with the recent change to the NYS debt collection laws, but I don't feel consumer protections go far enough, in general, but especially for victims of domestic abuse. It has been 5 years since the abuse began and over 4 years since I was attacked. I still do not feel safe.

I feel that ultimately the power imbalance that exists between our financial institutions and individual consumers needs to be addressed. Individuals fall victim to identify theft and other financial crimes all too often and it is an uphill battle even with overwhelming proof/documentation. This imbalance is further exacerbated for victims of domestic abuse when they have to make the decision to fight for themselves or to risk their personal safety. Nobody should have to risk their safety, have their mental health negatively impacted, or question their value as a person because they were victim of a crime and our financial institutions refuse to accept their role and to address the impacts their systems have helped create.

Survivors need to heal and work through the trauma. Unfortunately, the trauma is only exacerbated by the current practices of our financial institutions and the continuous cycle of victimization. I strongly urge NYC and NYS to enact tougher protections for domestic abuse victims.

AB.

December 12, 2022

Supporting documentation:

- Police report – assault
- Order of protection
- Credit card and bank statements
- Credit card and bank affidavits
- Police report – fraud/forged checks
- Copies of forged checks / endorsed checks
- Credit reports
- Court determinations

①

Good Afternoon Everyone

My name is Caroline Cantelmo I am a survivor and an advocate for Domestic Violence. I feel delighted and privileged to appear before you today. I am here in support for amendments in a law to extend protections for Victims of DV. The expansion will include economic abuse. As a domestic Violence survivor I push for the amendment of this law. This change is greatly needed. Coercive control affects some 60 to 80 percent of domestic Violence Victims. We often think of Domestic Violence only as an act of assault on a spouse or family member but coercive control is also blended into the definition of DV. It can include some of the following: Economic abuse, utter domination, where and who a victim spends time with. Also making threats and the monitoring of the victims phone calls and texts. All of these are prevalent in coercive control. Economic abuse of a ~~person~~ victim may delay or prevent the victim from leaving an abusive relationship.

②

Over time Coersivly Controlling behavior erodes the victims sence of self, thier confidence and self esteem.

Its time for us to become fully aware of this abuse and to make it equally punishable as physical abuse would be punished. Today I would like to amplify all the voices of all victims some who are living and thriving and sadly for ~~those~~ those who's lives have passed due to domestic violence. Victims are made up of all kinds of people in our society. So many of them are living and working amongst us. They deserve to be protected and treated with respect.

Thank you for the time you gave today to hear my testimony

God bless everyone



Submitted on behalf of Minister Dr. Diane Rose; PhD, LMHC  
Diane Rose Ministries'. D.R.ea.M.  
National Center on Economic & Enterprise Development  
Anointed Faith Ministers Community Church  
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The following is a presentation on behalf of DRM's Aging Gracefully and Grandparents Empowerment Ministries and is presented to the Committees on Human Rights; Women and Aging and whether the following submission be made part of the functioning and training of Senior Centers

As with many years of work as as NonProfit Social Services and Human Capital Development Executive, and subsequently as a Licensed Psychotherapist, I've been presented with a variety of cases involving Human Rights Violations and Domestic Violence in New York City. I have creatively worked to develop programmatic and clinical responses to same, as well as educate the "public" on cross sectoral approaches towards addressing these challenges. However, not until after my 60th birthday did I realize the absence of an effective approach to addressing Violence Against Older Women. What I also observed was an absence of budgetary investment and policy solutions to prevent and intervene upon violence against older women, sometimes until it was too late. Finally, what is most compelling is the level of desperation, helplessness and sometimes borderline hopelessness experienced by these women, to include myself, bought before me in Ministry that I had to appear today to help us to change the conversation and enact legislation and affect programmatic and service provision (ie budgetary investments) affecting violence against older women and its associated Civil and Human Rights abridgements going forward for we are NOT INCLUDED in the dynamics of what exist currently. Here is what the research says:

#### **Introduction:**

**Violence against women is a major public health problem, a gender inequality issue and a human rights violation. There are significant serious and long-lasting impacts of violence on women's physical and mental health, including injuries, unintended pregnancy, adverse birth outcomes, abortion (often in unsafe conditions), HIV and sexually transmitted infections, depression, alcohol-use disorders and other mental health problems [1–5]. The United Nations 2030 Sustainable Development Goals [SDGs] include as one of their targets (5.2) under Goal 5 on gender equality, the elimination of all forms of violence against women and girls. Indicator 5.2.1, measures intimate partner violence [IPV]: The Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former**

intimate partner in the previous 12 months, is proposed to track the measurement of progress in achieving this goal. The indicator does not include an upper age limit, and data on older women (aged 50 and above), including but not limited to intimate partner violence. This evidence is needed to support national and global monitoring of violence against women of all ages, including monitoring of the SDGs.

What we know are existing violence against women surveys and data that have focused on women of reproductive age (15–49), as they suffer the brunt of intimate partner violence and non-partner sexual violence [6]. A growing number of surveys are now including women older than 49 years, however globally there is sparse evidence concerning patterns of and types of violence against women aged 50 and older, and limited understanding of barriers to reporting and help-seeking amongst older women who are subjected to violence [7]. Compared to women of reproductive age, women aged 50 and above may experience different relationship dynamics which influence forms of abuse [8, 9], and some evidence indicates that older women experience different types of violence, for example, financial exploitation, psychological violence and verbal abuse, compared to younger women's experiences of physical and sexual violence [10]. For older women, recent exposure to violence may be interlinked with violence victimization at different stages of the life-course [11, 12]. Dynamics of ageing may shape experiences of violence, for example, provision of care to a dependent partner may influence decisions to disclose or report abuse [10]. They are also more likely to experience violence from other than partners and family members, including children, to include neighbors and community members and from professional care environments and its associated caretakers. In addition, older women are more likely to experience polyvictimization as a result of ageist dynamics within a community. We cannot forget the intersectionality of how racism, income, and ableism, though complex, we believe the solutions can be made current when we consider the evidence-base of qualitative and quantitative data concerning violence against older women that does exist, though limited. While incorporating same, investments need be made, to better understand these differing patterns and dynamics needed to ensure appropriate policy or programmatic responses to violence against older women and service development and provision for older women affected by violence [10, 11]. The time is now, we cannot afford these isms for older women who are a burgeoning population statistic. Even more so, we encourage the United States Federal, State, and Local Legislative Body begin by Ratifying CEDAW. Then, addressing these gaps in the evidence becomes global effort as many of these women in an Active Ageing Category may be those who flee towards the freedoms contained here in these United States. The report I will add towards the beginnings of such research as funded by the World Health Organization will be in my written submission. (Report funded by the World Health Organization (Meyers et al) conducted a systematic review of qualitative literature on violence against older women.)

However, I will prepare to close by saying, much more balanced effort is needed and does not preclude the glaring need to address the challenges currently being faced by so many. I might add that because of the nature and sensitivity to these occurrences, many

are isolated and have only to turn to faith based environments, ie, their Pastors, as a trusted servant of the Lord. What the majority of the existing evidence-base on violence against women focuses on reproductive age (15–49), and globally there is sparse evidence concerning patterns of and types of violence against women aged 50 and older. Improved understanding of differing patterns and dynamics of violence older women experienced is needed to ensure appropriate policy or programmatic response. To address these gaps in the evidence, the report conducted a systematic review of qualitative literature on violence against older women, including any form of violence against women, rather than adopting a specific theoretical framework on what types of violence or perpetrators should be included from the outset, and focusing specifically on qualitative studies, to explore the nature and dynamics of violence against older women from the perspective of women. Thematic synthesis identified several central themes, including the intersection between ageing and perceptions of, experiences of and response to violence; the centrality of social and gender norms in shaping older women’s experiences of violence; the cumulative physical and mental health impact of exposure to lifelong violence, and that specific barriers exist for older women accessing community supports and health services to address violence victimization. Our findings indicated that violence against older women is prevalent and has significant impacts on physical and mental well-being of older women. Implications for policy and programmatic response, as well as future research directions, are highlighted.

The following are several highlights to be further considered:

See Video Presentation Below

Let’s move into our Faith Based Study Closing our on you as Jewels Living Triumphantly:

Recall:

3. What is the Lord’s attitude towards His Jewels?

Notice that in verses 16-17 we are told three things that indicate the Lord’s loving interest in His jewels:-

- (1) He listens to them. “...the Lord listened and heard...” - that is, He bent down from heaven and listened to the holy conversations of His precious ones. Compare Jeremiah 8:6 with Luke 24:15. As the Lord draws near to us what does He hear from our lips?
- (2) He records the history of His Jewels. Verse 16 tells us that the Lord has “a scroll of remembrance”! In this book every detail is accurate. Is it the Lamb’s Book? No. It is the book in which the Lord records the faithful service of His people. What surprises we shall get when we look into that book on that day! We shall see that God did hear our prayers, that He did bless our faithful service, and that even the little things that were done in His Name were blessed of Him and recorded - look up Matthew 25:35-45.

**(3) He assures their eternal security. Verse 17 tells us that the Lord says, "They will be mine, says the Lord Almighty, in the day when I make up my treasured possession." What day? - in the day when the Lord Jesus comes again (1 Thessalonians 4:16-17). Not one treasured possession will be lost or missing. All the elect will be gathered safely in (compare Psalm 87:6 with John 6:37; John 10:28-29; 2 Timothy 1:12; 2 Timothy 2:19). He welcomes them as "sons". Verse 17 tells us that the Lord gives to His jewels all the privileges of sonship. How wonderful the grace of God is! Look up and compare Romans 8:16-17 with Hebrews 1:2.**

**Online Recording of above testimony as presented in full**

**<https://www.facebook.com/DrmzOnline.org/videos/1124159514928826/>**

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 148 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/12/22

(PLEASE PRINT)

Name: Maxi Moss

Address: W. 125th St

I represent: Women who have endured coerced financial abuse via domestic violence & their children.

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/12/2022

(PLEASE PRINT)

Name: Caroline Cantelmo

Address: Port Richmond ave St NY 10302

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Kayt Tishon

Address: Maiden Lan

I represent: Bowen Public Affairs

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

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I intend to appear and speak on Int. No. 148 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

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Name: Blair D. Droschwa/Hether

Address: \_\_\_\_\_

I represent: Safe Horizon

Address: 2 Lafayette St

**THE COUNCIL  
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I intend to appear and speak on Int. No. 148 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Teal Inzunza

Address: CROOKE AVE, BK NY 11006

I represent: Urban Resource Institute

Address: 75 Broad St NY, NY 10004

**THE COUNCIL  
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Appearance Card

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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Jennifer DeCarli

Address: 100 Gold St

I represent: Mayor's Office to End Domestic Violence

Address: 100 Gold St, 2nd Fl. W3V

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Cecile Noel, Commission

Address: 253 Broadway

I represent: ENDOGBV

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 148 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JOANN KAMUF WARD

Address: 22 Bock St

I represent: NYC COMMISSION on Human Rights

Address: (Deputy Commissioner, Policy + Admin Affs)

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Maria Moran

Address: E 17th St, Apt \_\_\_\_\_ Brooklyn, NY 11230

I represent: CAMBA Legal Services, Inc

Address: 20 Snyder St, Brooklyn, NY 11226

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**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 0148-2022 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 12/12/22

**(PLEASE PRINT)**

Name: Faris Ilyas

Address: Jamplings Avenue, Brooklyn, NY 11206

I represent: Sex Workers Project of Urban Justice Center

Address: 40 Rector Street, NY, NY 10006

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THE CITY OF NEW YORK**

*Appearance Card*

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 in favor     in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name: Sara Wee

Address: 891 Grand St.

I represent: Center for Survivor Agency & Justice

Address: DC

*Please complete this card and return to the Sergeant-at-Arms*