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| Committee on Women & Gender Equity: | Brenda McKinney, *Counsel*Chloë Rivera, *Senior Policy Analyst*Lauren Hunt, *Financial Analyst* |



**The Council of the City of New York**

Committee Report of the Human Services Division

Andrea Vazquez*, Legislative Director*

**Committee on Women & Gender Equity**

Hon. Tiffany L. Cabán, Chair

February 22, 2022

**Oversight: Barriers to Accessing Survivor Services in New York City**

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| **Preconsidered Res. No. 25** | By Council Members Narcisse, Cabán, Hanif, Rivera, Brannan, Hudson, Joseph, Ossé and Nurse |
| **Title:** | Resolution calling upon the New York State legislature to pass, and the Governor to sign, A.8619A/S.7573, which would expand eligibility for victims and survivors of crime to access victim compensation funds |

1. **Introduction**

 On February 22, 2022, the Committee on Women & Gender Equity, chaired by Council Member Tiffany L. Cabán, will hold an oversight hearing on *Barriers to Accessing Survivor Services in New York City* (“NYC” or “City”). Additionally, the Committee will hear preconsidered Resolution No. \_\_\_, a Resolution calling upon the New York State legislature to pass, and the Governor to sign, A.8619A/S.7573, which would expand eligibility for victims and survivors of crime to access victim compensation funds. Witnesses invited to testify include representatives from the Mayor’s Office to End Domestic and Gender-Based Violence (“ENDGBV”), as well as survivors of domestic and gender-based violence, local legal service providers, community-based service providers, advocates and experts in the field of domestic violence, gender-based violence and gender equity, and other interested stakeholders.

1. **Background**

***Domestic and Gender-Based Violence***

Gender-based violence (GBV) refers to any type of violence that is rooted in exploiting unequal power relationships between genders.[[1]](#footnote-1) This can include gender norms and role expectations specific to a society, as well as situational power imbalances and inequities.[[2]](#footnote-2) More specifically, GBV can include sexual, physical, mental and economic harm, as well as threats of violence, coercion and manipulation.[[3]](#footnote-3) It can take many forms such as intimate partner and family violence, elder abuse, sexual violence, stalking and human trafficking.[[4]](#footnote-4)

Domestic violence (DV) is a pattern of economic, emotional, physical and sexual abuse and other behaviors intended to exert power and control, committed against members of the same family or household or individuals who are or have been in an intimate relationship.[[5]](#footnote-5)

GBV, DV and intimate partner violence (IPV)[[6]](#footnote-6) occur in all settings and among all cultural, religious and socioeconomic groups, but disproportionately affect women, racial and ethnic minorities[[7]](#footnote-7) and members of the LGBTQ+[[8]](#footnote-8) community.[[9]](#footnote-9) Victims[[10]](#footnote-10) of GBV and DV often feel stuck in abusive relationships, as any action they take may have immediate and disruptive consequences for them and their family.[[11]](#footnote-11) According to the United States (U.S.) Bureau of Justice Statistics, between 2006 and 2015, police were not notified in nearly half (46 percent) of the 1.3 million nonfatal DV victimizations that occurred each year.[[12]](#footnote-12)

Moreover, survivors in certain potentially vulnerable communities and populations, including but not limited to youth and older adult survivors, communities of color, deaf survivors and survivors with disabilities, immigrant survivors, survivors with limited English proficiency, LGBTQ+ survivors, criminalized survivors, survivors who are veterans, and survivors with mental health or substance use challenges,[[13]](#footnote-13) may face additional barriers in accessing resources and support.[[14]](#footnote-14)

In 2021, 16.1 percent of all felony complaints were DV-related and 56.6 percent of DV complaints involved an intimate partner.[[15]](#footnote-15) The NYC Police Department (NYPD) recorded 185,678 radio runs[[16]](#footnote-16) for DV-related complaints, for an average of 15,473 per month and 509 per day.[[17]](#footnote-17) The NYPD also recorded 9,131 DV-related felony assault complaints; 646 DV-related rape complaints; and 61 DV-related murder complaints.[[18]](#footnote-18)

Note that this data only represent DV crime that was reported to law enforcement, and therefore is unrepresentative of the overall prevalence of DV. When NYPD responds to the scene to investigate, if an individual makes allegations that establish a DV crime, the officers are required by law to make an arrest.[[19]](#footnote-19) While the commonly charged DV crimes, including assault, menacing, harassment and criminal contempt for violating orders of protection, are not unique to DV incidents,[[20]](#footnote-20) officers record whether there was an allegation of a DV crime.[[21]](#footnote-21) Thus, NYPD routinely tracks the number of possible DV incidents as radio runs, and the number of victims reporting DV crimes directly to officers as complaints.[[22]](#footnote-22) In addition, NYPD records the number of DV arrests, which would differ from the number of complaints only in cases where the accused is not present at the time the complaint is made.[[23]](#footnote-23)

***Mayor’s Office to End Domestic and Gender-Based Violence and Family Justice Centers***

ENDGBV develops policies and programs, provides training and prevention education, conducts research and evaluations and performs community outreach around domestic and gender-based violence.[[24]](#footnote-24) Additionally, ENDGBV operates the NYC Family Justice Centers (FJCs), which are multi-disciplinary service centers co-located with District Attorney (DA) Offices in each borough, providing social services, civil legal and criminal justice assistance for victims and survivors of DV and GBV and their children.[[25]](#footnote-25) Through collaboration with City agencies and community stakeholders, ENDGBV works to ensure access to inclusive services for victims and survivors and domestic and gender-based violence.[[26]](#footnote-26)

According to ENDGBV’s 2021 Annual Report on Domestic Violence Initiatives, Indicators and Factors, at each FJC, individual clients utilized a variety of services, including safety planning, civil legal services, counseling, criminal justice services, housing/shelter advocacy, economic empowerment, health and mental services and practical assistance.[[27]](#footnote-27) Regarding contracted legal service provider staff, each borough has two family law attorneys and one immigration attorney, apart from Manhattan, which has four family law attorneys and two immigration attorneys.[[28]](#footnote-28) Additionally, concerning housing attorneys, there are three legal service providers who rotate coverage across all FJCs.[[29]](#footnote-29) Below, Table 1 shows the languages spoken by contracted legal service provider staff by borough.

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| ***Table 1.*** *2021 Contracted Legal Service Provider Staff by Languages Spoken for Each Family Justice Center number of contracted staff who speak each language is in ()[[30]](#footnote-30)* |
| **Bronx** | **Brooklyn** | **Manhattan** | **Queens** | **Staten Island** |
| Spanish (8) | Arabic (1) | Mandarin (1) | Korean (1) | Spanish (4) |
|  | French (1) | Portuguese (1) | Spanish (2) |  |
|  | Polish (1) | Russian (1) |  |  |
|  | Spanish (1) | Spanish (5) |  |  |

In 2021, FJCs recorded 13,272 individual clients with a total of 42,706 client visits.[[31]](#footnote-31) By borough, Queens recorded the highest number of individual clients (4,558) and client visits (11,955), while Staten Island recorded the fewest number of individual clients (1,650) and client visits (6,754).[[32]](#footnote-32) Across the five boroughs, safety planning and civil legal services were the most popular service types utilized by individual clients.[[33]](#footnote-33) ENDGBV also reported that in 2021 it had conducted 261 outreach events, including 139 community events, 90 community meetings/trainings, 26 presentations and six other events.[[34]](#footnote-34)

1. **Barriers to Accessing Survivor Services**

 Victims and survivors face many barriers to healing along their journey to recovery.[[35]](#footnote-35) The trauma of experiencing DV and/or GBV can cause devastating, lifelong psychological and/or physical impacts, especially without timely and effective support services.[[36]](#footnote-36) Unaddressed trauma can lead to chronic emotional distress, relationship problems, and substance use disorders, all of which can lead to challenges with maintaining employment or housing.[[37]](#footnote-37) Ultimately, untreated trauma has costly consequences for survivors, their families, and communities.[[38]](#footnote-38)

Research indicates that few survivors receive the support they need to heal, and to move past the trauma they experienced.[[39]](#footnote-39) According to the U.S. Department of Justice’s Office for Victims of Crime, only about one in ten survivors receive direct assistance from a victim service agency, and as previously referenced in this Committee Report, nearly half of all such crimes are not even reported.[[40]](#footnote-40) When it comes to sexual assault, only a quarter of survivors ever report to the police.[[41]](#footnote-41)

One takeaway from ENDGBV’s COVID-19 Response Work Group Summary Report, which is not new but was aggravated by the pandemic, is how the current system responses and reliance of law enforcement are not safe or accessible to communities of color, particularly Black, brown, immigrant and LGBTQ+ communities.[[42]](#footnote-42)

***Barriers Faced by Survivors of Color***

In speaking about the experiences of survivors of color, it is crucial to acknowledge the role of implicit bias, racism and discrimination.[[43]](#footnote-43) For Black women, who inhabit the duality of being both a woman and members of a historically marginalized community, “the intersection of IPV and institutional racism doubly victimizes Black women as they try to break out of the cycle of violence.”[[44]](#footnote-44) That is, intersection of gender and cultural violence complicates Black women’s ability to obtain and sustain safe environments as historical and current racism, including racial microaggressions, and trauma can deter Black women from reporting abuse because of past experiences of fear of discrimination in the criminal justice system, or similar.[[45]](#footnote-45) Moreover, awareness of Black men’s particular vulnerability to police brutality and incarceration can also contribute to underreporting IPV to law enforcement.[[46]](#footnote-46)

In additional to being more likely to encounter challenges when trying to access survivor services, the behaviors and strategies Black women use to survive in DV and GBV situations are frequently criminalized.[[47]](#footnote-47) Women of color are arrested and/are incarcerated for a variety of reasons related to trauma and abuse, including acts of self-defense against perpetrators, or after being forced to engage in illegal activities to survive such as sex work, shoplifting and low-level drug offenses.[[48]](#footnote-48) A 1996 study of women incarcerated in the NYC jail system found that a majority reported engaging in illegal activity in response to experiences of abuse, the threat of violence, or coercion by their male partners.[[49]](#footnote-49) Moreover, criminalized Black women often deal with intersecting issues, like heightened economic and employment barriers, language access barriers, racism, anti-immigration sentiments, and barriers to accessing healthcare and mental health services.[[50]](#footnote-50)

***Barriers Faced by Immigrant Survivors***

Many immigrants face racism and discrimination, often exacerbated by additional intersections, and are vulnerable to victimization due to their immigration status.[[51]](#footnote-51)

Due to the political climate at any given time and the public discourse around immigrants, immigrant survivors, and undocumented immigrant survivors in particular, may be reluctant to report DV or GBV to law enforcement due to fear of being detained or deported.[[52]](#footnote-52) Such distrust of law enforcement can also be a result of past negative interactions, including racism or discrimination, which may affect their perceptions of police.[[53]](#footnote-53) Lastly, an immigrant survivor’s fear of losing their children or being separated from their family, either as a result of detainment/deportation or through a perpetrators use of power could prevent them from reporting.[[54]](#footnote-54)

With regard to accessing survivor services, most often, limited English language proficiency deters immigrant survivors from seeking such services that they may not know exist or how to access.[[55]](#footnote-55) Immigrant survivors may also come up against cultural barriers that prevent them from seeking services.[[56]](#footnote-56) For example, sexual assault within the confines of marriage is legal in some countries and therefore, an immigrant victim may not realize that it is illegal in the U.S.[[57]](#footnote-57) Similarly, cultural values such as strong family values, may prevent someone from seeking services if they worry it will break up, or otherwise negatively impact their family.[[58]](#footnote-58)

***Barriers Faced by LGBTQ+ Survivors***

A 2017 National Coalition of Anti-Violence Programs (NCAVP) report, which examines IPV and hate violence (HV) that impacts LGBTQ+ and HIV-affected communities, found a significant percentage of LGBTQ+ survivors report having negative interactions with law enforcement.[[59]](#footnote-59) Forty-three percent of HV survivors and 60 percent of IPV survivors reported interacting with law enforcement.[[60]](#footnote-60) Of the HV survivors, 55 percent reported that law enforcement was indifferent towards them and 20 percent reported that law enforcement was hostile.[[61]](#footnote-61) Of IPV survivors, 47 percent reported that law enforcement was indifferent towards them and 11 percent reported that law enforcement was hostile.[[62]](#footnote-62)

The NCAVP report also found that 13 percent of HV survivors who reported on interactions with the police also reported police misconduct.[[63]](#footnote-63) Of these survivors, 44 percent reported excessive force was used and 56 percent reported being unjustifiably arrested.[[64]](#footnote-64) Additionally, six percent of HV homicide victims were killed by the responding police.[[65]](#footnote-65) Fifty-four percent of IPV survivors who interacted with the police reported experiencing police misconduct.[[66]](#footnote-66) Of these survivors, 20 percent reported excessive force was used and 80 percent reported being unjustifiably arrested.[[67]](#footnote-67)

The 2015 U.S. Transgender Survey (USTS), which is the most recent and largest survey examining the experiences of transgender people in the U.S., reported that New York state (NYS) respondents experienced high levels of mistreatment and harassment by police.[[68]](#footnote-68) In the preceding year, of respondents who interacted with law enforcement officers who thought or knew they were transgender, 61 percent experienced some form of mistreatment.[[69]](#footnote-69) This included being verbally harassed, repeatedly referred to as the wrong gender, physically assaulted, or sexually assaulted, including being forced by officers to engage in sexual activity to avoid arrest.[[70]](#footnote-70) Respectively, 58 percent of respondents said they would feel uncomfortable asking the police for help if they needed it.[[71]](#footnote-71)

With regard to accessing survivor services, the NCAVP report found that the most common service that LGBTQ+ survivors of IPV and HV accessed was safety planning. In 2017, 66 percent of all IPV survivors and 63 percent of HV survivors accessed safety planning services.[[72]](#footnote-72) Additionally, 13 percent of IPV survivors reported attempting to access shelter, yet 43 percent of those who sought shelter reported being denied access and, of those, 32 percent were turned away due to their gender identity.[[73]](#footnote-73) For some survivors who did access shelter, they reported violence and discrimination while in those shelter programs: bisexual IPV survivors were nearly twice as likely to report experiencing violence or discrimination in a shelter, compared to survivors who did not identify as bisexual.[[74]](#footnote-74) Meanwhile, transgender women who were IPV survivors were nearly two and a half times more likely to experience violence in a shelter, compared to survivors who did not identify as transgender women.[[75]](#footnote-75)

According to the USTS, with regard to housing, homelessness and shelter access among NYS respondents, 21 percent experienced some form of housing discrimination, such as being evicted from their home or denied a home or apartment due to being transgender, in the preceding year.[[76]](#footnote-76) Additionally, 21 percent have experienced homelessness at some point in their lives while 11 percent experienced homelessness in the preceding year due to being transgender and, of those respondents, 30 percent avoided staying in a shelter because they feared being mistreated as a transgender person.[[77]](#footnote-77)

***Barriers Faced by Deaf Survivors & Survivors with Disabilities***

Deaf people[[78]](#footnote-78) and people with disabilities are particularly vulnerable to crime for a variety of reasons, including but not limited to reliance on caregivers, limited transportation options, limited access to sign language interpreters and assistive devices, and isolation.[[79]](#footnote-79) In addition to experiencing the same types of crime as people without disabilities, people with disabilities may also experience unique forms of such crimes. IPV victims with disabilities, for example, may be denied care or assistance, or subject to destruction of medical equipment, destruction of assistive aids, and manipulation of medications.[[80]](#footnote-80) Not only do such vulnerabilities increase opportunities for abuse, but they also make reporting more difficult.[[81]](#footnote-81)

According to the U.S. Bureau of Justice Statistics, people with disabilities are three times more likely than people without disabilities to be victimized.[[82]](#footnote-82) Yet, survivors with disabilities can be reluctant to report their victimization due to concern that law enforcement may view them as unreliable reporters, less credible witnesses, and less likely to be believed.[[83]](#footnote-83) Or, perhaps, survivors decline to report because the criminal justice system often fails to hold perpetrators accountable: one study found only 22 percent of offenders are charged and only 9 percent are convicted.[[84]](#footnote-84)

A 2017 Vera Institute of Justice report identified the most significant barriers to survivor services for people with disabilities include (1) lacking coordination between survivor services and disability service systems and organizations; (2) the persistence of physical, communication, programmatic, and attitudinal accessibility barriers in survivor services; (3) lack of training on victimization and how to provide appropriate and effective services to survivors with disabilities in disability organizations; (4) limited awareness and knowledge of effective practices to support survivors with disabilities; and (5) lack of awareness about the continued marginalization of people with disabilities and their victimization experiences.[[85]](#footnote-85) Accordingly, from 2010 to 2013, only 13 percent of victims received assistance from non-police survivor services.[[86]](#footnote-86)

Challenges faced by deaf DV and GBV survivors seeking services may include the fact that not all deaf survivors are fluent in American Sign Language (ASL) or other sign language, and therefore communications needs may vary and may include Deaf survivors (1) who read lips and can express themselves orally; (2) who cannot express themselves orally or read lips, and need to communication via drawing, writing, facial gestures or body language; (3) who can clearly write in English but do not have sign language abilities; and (4) who communicate in Signed English, a different syntax than ASL.[[87]](#footnote-87)

 With regard to shelter services, Deaf survivors are less likely than hearing survivors to stay in shelter.[[88]](#footnote-88) This is because the Deaf culture is a very unique and close community, and Deaf survivors may experience a profound sense of isolation.[[89]](#footnote-89)

1. **Finance**

As of the Fiscal 2022 November Plan,[[90]](#footnote-90) ENDGBV’s projected budget for Fiscal 2022 totals $27.3 million, including $7.2 million for Personal Services (PS) with an associated headcount of 91 positions and $12.9 million in Other Than Personal Services (OTPS) for legal services, housing training, security, abusive partner intervention, and training and outreach programming.[[91]](#footnote-91) Additionally, $7.2 million are contracts managed by the Mayor’s Office of Criminal Justice (MOCJ) for the City’s FJCs.[[92]](#footnote-92) This is an increase of $58,000 in PS funding when compared to the Adopted Fiscal 2022 Budget of $27.2 million.[[93]](#footnote-93) Due to ENDGBV not being a standalone agency, the Council requires a Term and Condition (T+C) in Fiscal 2022 that shows the full budget for ENDGBV.[[94]](#footnote-94)

In addition to the programs and initiatives through ENDGBV, Human Resource Association (HRA) provides Domestic Violence Services, the total budget as of November 2021 is $158.75M. Housing programs include Emergency Domestic Violence shelters, budget is $93.4 million and Tier II Domestic Violence shelters, and budget is $29.14 million.

In Fiscal 2022, the Council supports over 120 CBOs providing domestic violence services with $13.9 million in discretionary funding managed by MOCJ. This includes $11.5 million for the Domestic Violence Empowerment Initiative (DoVE), $2.5 million for the Supportive Alternatives to Violent Encounters Initiative (SAVE), and $530,000 for the Initiative for Immigrant Survivors of Domestic Violence.[[95]](#footnote-95)

* **DoVE:** Funding supports a range of services that include case management, crisis intervention, referrals, counseling, empowerment workshops, and legal advocacy and referrals. $859,000 is allocated to Safe Horizon, the administrator for this program, to serve as a liaison between the City and the community-based organizations (CBOs) to resolve complex administrative issues, and provides training, technical assistance, and direct services.
* **SAVE:** Funding supports comprehensive wrap-around services for domestic violence victims including prevention, community training, direct legal representation and legal advice, counseling and referrals.[[96]](#footnote-96)
* **Initiative for Immigrant Survivors of Domestic Violence:** Funding supports services specifically for immigrant survivors of domestic violence that may include interpretation, referrals, counseling, and legal representation for U Visas and T Visas.[[97]](#footnote-97)
1. **Conclusion**

At this hearing, the Committee will seek an overview of City survivor services. This will include an overview of eligibility requirements, as well as who is served, who is not and why. Additionally, the Committee is interested in hearing testimony that explores ways to shift the impact of funding to underserved communities to provide culturally-specific neighborhood-based assistance outside of the criminal legal system. Lastly, the Committee is interested in learning about the development of programming, including abusive partner interventions, outreach to people who cause harm as well as restorative and transformative justice practices.

Res. No.

..Title

Resolution calling upon the New York State legislature to pass, and the Governor to sign, A.8619A/S.7573, which would expand eligibility for victims and survivors of crime to access victim compensation funds.

..Body

By Council Members Narcisse, Cabán, Hanif Rivera, Brannan, Hudson, Joseph, Ossé and Nurse

Whereas, The Crime Victims Fund (“Fund”), which was established by the Victims of Crime Act (VOCA) of 1984 as a scheme to compensate victims and survivors of crime, is a major funding source for victim services across the United States (U.S.); and

Whereas, As of December 31, 2021, the Fund has a balance of over $2.7 billion and includes deposits from criminal fines, forfeited bail bonds, penalties, and special assessments collected by U.S. Attorneys’ Offices, federal courts, and the Federal Bureau of Prisons, paid by convicted federal offenders, as well as from gifts, donations, and bequests by private parties; and

Whereas, The Office for Victims of Crime, established by VOCA, administers the Fund to federal, state, and tribal victim assistance programs in the form of formula grants, discretionary grants, and set-asides according to an established annual allocation process; and

Whereas, The state crime victim compensation program formula grants supplement state funds for directly reimbursing to or on behalf of victims of violent crimes for out-of-pocket expenses that result from the crime, including medical costs; funeral and burial costs; mental health counseling; and lost wages or loss of support; and

Whereas, In New York State (“NYS” or “State”), the Office of Victim Services (OVS) provides financial assistance and reimbursement to victims for crime-related out-of-pocket expenses via subgrants funded, in part, by the VOCA Victim Compensation Program; and

Whereas, OVS is a payer of last resort, which means a victim or survivor of a crime or family member must exhaust all other sources of compensation, such as benefits from health or other insurance policies or workers’ compensation, before the agency can provide financial assistance; and

Whereas, In order to be eligible for OVS’ victim compensation, the victim/survivor must (1) be an innocent victim of the crime; (2) have been physically injured as a result of the crime (if between the ages of 18 and 60); (3) report the crime within one week to police or another criminal justice agency; (4) file a claim with OVS within one year of the crime; and (5) cooperate with police, the district attorney’s office and OVS in the investigation of such crime; and

Whereas, According to OVS’ October 1, 2019 – September 30, 3019 Victim Compensation Formula Grant Program Annual Performance Measures Report, which is the latest accessible report, nearly 11,000 people applied for victim compensation benefits during the reporting period (October 2018 – September 2019); and, of the victims, the majority (40 percent) identified as white, compared to 29 percent Black, 21 percent Latinx and 4.5 percent Asian; and

Whereas, According to the Center for Victim Research, in the U.S., less than three percent of all victims receive any victim compensation due to restrictive eligibility requirements that make it inaccessible for many Black, Indigenous, People of Color (BIPOC), members of the LGBTQI+ community, working class people, disabled people, and immigrants; and

Whereas, Nationally, Black men under age 35 living in urban areas with annual incomes below $25,000 are more likely to be victimized than any other group yet are least likely to receive victim compensation, while the largest recipients of victim compensation are white women above the age of 55 living in non-urban areas with incomes greater than $75,000 a year, per a 2019 Center for Victim Research report; and

Whereas, Victim/survivor advocates report that victims and survivors often do not report crimes for a variety of reasons, including fear of retaliation, mistrust in law enforcement, the age and/or other demographics of a victim/survivor, or the dynamics of an intimate partner relationship; and

Whereas, LGBTQI+ victims/survivors often fear reporting crimes: over 30 percent of LGBTQI+ victims of homophobic and transphobic violence who reported to the police said they were verbally abusive and 16 percent said they were physically abusive, per a 2017 National Coalition of Anti-Violence Programs report; and

Whereas, Immigrant victims/survivors also often avoid reporting crimes due to fear that it may result in the person who harmed them being deported, or that they themselves might be deported or lose their pathway to citizenship, per a 2017 New York Times article; and

Whereas, According to the National Crime Victimization Survey (NCVS), 5,813,410 violent victimizations occurred in 2019 and, of those victimizations, 59 percent were not reported to law enforcement; and

Whereas, NVCS also reported that in 2019, only 7.7 percent of victims/survivors of violent crimes received assistance from victim service agencies, suggesting that more than 90 percent of victims and survivors are not likely to receive necessary services or support due to non-reporting; and

Whereas, A.8619A/S.7573, sponsored by State Assembly Member Demond Meeks and State Senator Zellnor Myrie, respectively, would remove the State’s onerous mandated law enforcement reporting requirement by expanding eligibility for victims and survivors of qualifying crimes, via (1) increasing the time a victim/survivor may file a claim with OVS from one year to seven years; (2) removing the requirement that a crime be reported to a law enforcement agency “promptly” and within one week of the occurrence of the crime and instead, allowing for reporting “within a reasonable time considering all the circumstances, including the victim’s physical, emotional and mental condition and family situation”; and (3) allowing alternative forms of evidence to be provided to show that a qualifying crime was committed; and

Whereas, Enacting A.8619A/S.7573 would not only refine current law, but provide greater access of funds to many neglected victims and survivors of violence, including LGBTQI+ victims and survivors, immigrant victims and survivors, victims and survivors of color, and victims and survivors of domestic violence, gun violence and police violence; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State legislature to pass, and the Governor to sign, A.8619A/S.7573, which would expand eligibility for victims and survivors of crime to access victim compensation funds.

LS #7343

02/10/2022

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1. NYC Mayor’s Office to End Domestic and Gender-Based Violence (hereinafter “ENDGBV”), *Introduction to Domestic Violence & GBV* (n.d.), *available at* <https://www1.nyc.gov/site/ocdv/services/introduction-to-domestic-violence-and-gender-based-violence.page>. [↑](#footnote-ref-1)
2. *Id.* [↑](#footnote-ref-2)
3. *Id.* [↑](#footnote-ref-3)
4. *Id.* [↑](#footnote-ref-4)
5. Domestic violence is one part of a larger continuum of issues related to gender-based violence, which includes intimate partner violence, family violence, sexual assault, stalking and human trafficking. *See* ENDGBV, *Introduction to Domestic Violence & GBV* (n.d.), *available at* <https://www1.nyc.gov/site/ocdv/services/introduction-to-domestic-violence-and-gender-based-violence.page>; *see also* Mayo Clinic, *Domestic Violence against Women: Recognize Patterns, Seek Help* (Feb. 25, 2020), *available at* <https://www.mayoclinic.org/healthy-lifestyle/adult-health/in-depth/domestic-violence/art-20048397>. [↑](#footnote-ref-5)
6. IPV is the specific subset of DV involving individuals who are married, formerly married, have a child in common or have been involved in an intimate relationship. *See* Centers for Disease Control and Prevention, Intimate Partner Violence (n.d.), *available at* <https://www.cdc.gov/violenceprevention/intimatepartnerviolence/index.html>; World Health Organization, *Understanding and Addressing Domestic Violence: Intimate Partner Violence* (n.d.), a*vailable at* <http://apps.who.int/iris/bitstream/handle/10665/77432/WHO_RHR_12.36_en>. [↑](#footnote-ref-6)
7. World Health Organization, *Understanding and Addressing Violence Against Women* (2012), *available at* <http://apps.who.int/iris/bitstream/handle/10665/77432/WHO_RHR_12.36_eng.pdf?sequence=1>. [↑](#footnote-ref-7)
8. LGBTQ+ is an acronym for lesbian, gay, bisexual, transgender and queer or questioning. Other variations of the acronym include but are not limited to other sexualities such as asexual, demisexual, genderqueer, gender fluid, graysexual, intersex, pansexual and unassigned at birth. *See* Michael Gold, *The ABCs of L.G.B.T.Q.I.A.+*, The New York Times (Jun. 21, 2018, updated Jun. 7, 2019), *available at* <https://www.nytimes.com/2018/06/21/style/lgbtq-gender-language.html>. [↑](#footnote-ref-8)
9. VAWnet: A project of the National Resource Center on Domestic Violence, “The Problem: DV in LGBTQ Communities & Barriers to Safety” (n.d.), *available at* <https://vawnet.org/sc/rates-and-prevalence-dv-lgbtq-communities>; *see also* Ashley Abramson, *How COVID-19 may increase domestic violence and child abuse*, Amer. Psych. Society (Apr. 8, 2020), *available at* <https://www.apa.org/topics/covid-19/domestic-violence-child-abuse>. [↑](#footnote-ref-9)
10. This Committee Report utilizes both the terms “victim” and “survivor” to reflect that both are used in the field and the context with which they are used by the source being cited. These terms, however, can take on similar but different meanings based on the jurisdiction or organization using them. *See e.g.,* RAINN, *Key Terms or Phrases* (n.d.), *available at* <https://www.rainn.org/articles/key-terms-and-phrases>. [↑](#footnote-ref-10)
11. ENDGBV, *Introduction to Domestic Violence & GBV* (n.d.), *available at* <https://www1.nyc.gov/site/ocdv/services/introduction-to-domestic-violence-and-gender-based-violence.page>; NYC Department of Health and Mental Hygiene, *Intimate Partner Violence (IPV)* (n.d.), *available at* <https://www1.nyc.gov/site/doh/providers/resources/public-health-action-kits-ipv.page>; *See also* *Intimate Partner Violence Against Women in New York City* (Sept. 8, 2008), *available at* <https://www1.nyc.gov/assets/doh/downloads/pdf/public/ipv-08.pdf>*.* [↑](#footnote-ref-11)
12. U.S. Department of Justice, Bureau of Justice Statistics, “Police Response to Domestic Violence, 2016-2015” (May 2017), *available at* <https://bjs.ojp.gov/content/pub/pdf/prdv0615_sum.pdf>. [↑](#footnote-ref-12)
13. *See* Domestic Violence and Housing Technical Assistance Consortium, *Working with Underserved or Marginalized Survivors* (n.d.), *available at* <https://safehousingpartnerships.org/key-approaches/survivor-centered-services/working-with-underserved>. [↑](#footnote-ref-13)
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