



HELP FOR DOMESTIC VIOLENCE VICTIMS DURING COVID-19 SHELTER-IN-PLACE ORDERS

In addition to the direct health threats caused by COVID-19, domestic violence is affected by the virus. As shelter-in-place orders are in effect across the country, many domestic violence victims are being forced into close quarters with their abusers. Victims may find it more difficult to access resources during this confusing time, but there is help out there. Here is what you need to know about protecting yourself from domestic violence during the COVID-19 outbreak.

WHAT IS DOMESTIC VIOLENCE?

The National Domestic Violence Hotline defines **domestic violence** as “a pattern of behaviors used by one partner to maintain power and control over another partner in an intimate relationship.”

In many jurisdictions, to seek relief from domestic violence, you must establish that the abuse is physical or that the abuser threatened physical violence and made you apprehensive about your health and safety. However, in other jurisdictions, legal relief is available if the abuse is mental, such as a repeated pattern of demeaning you or financial, such as your abuser trying to withhold medical treatment or necessities from you.

While many people think of domestic violence as violence between romantic partners, many jurisdictions include these additional people as potential offenders:

- Ex romantic partners.
- People related by blood or marriage.
- Other members of your household.
- A co-parent of a child in common.
- People who previously resided together.
- A dating partner.

INCREASE IN DOMESTIC VIOLENCE AMID COVID-19 OUTBREAK

In the wake of the pandemic, calls to the National Domestic Violence Hotline have increased, especially calls citing COVID-19 as a “condition of their experience.” Between March 16 and April 5, 2020, **2,345 people** contacted the hotline and cited this concern. Many of these people have described an abusive partner who is leveraging COVID-19 to perpetrate abuse or intimidate them.

After New York’s Secretary to the Governor promoted the state’s domestic violence hotline, an **increased number of domestic abuse incidents** occurred. New York City’s domestic violence resource website also saw visits **more than double** from March 18 to April 5, 2020.

The *New York Times* **reported** that there has been an increase in demand for services from domestic violence around the world.

REASONS FOR THE INCREASE IN DOMESTIC VIOLENCE DURING THE PANDEMIC

Reasons why the pandemic has caused an increased number of domestic violence incidents include:

PEOPLE ARE IN CLOSE QUARTERS

With shelter-in-place orders, people are confined in close quarters, potentially with their abusers. Domestic violence increases when people spend more time together, which is why there are often more reports of domestic violence during holidays.

HIGHER TENSIONS

Given the massive impact that COVID-19 has had on people's everyday lives, tensions are high in many households. A recent job layoff may be increasing concerns surrounding money. Children are home because schools are closed, and parents may be trying to help with school assignments while working from home. This added stress may make strained relationships even worse and ultimately devolve into violence.

SHELTER IN PLACE ORDERS

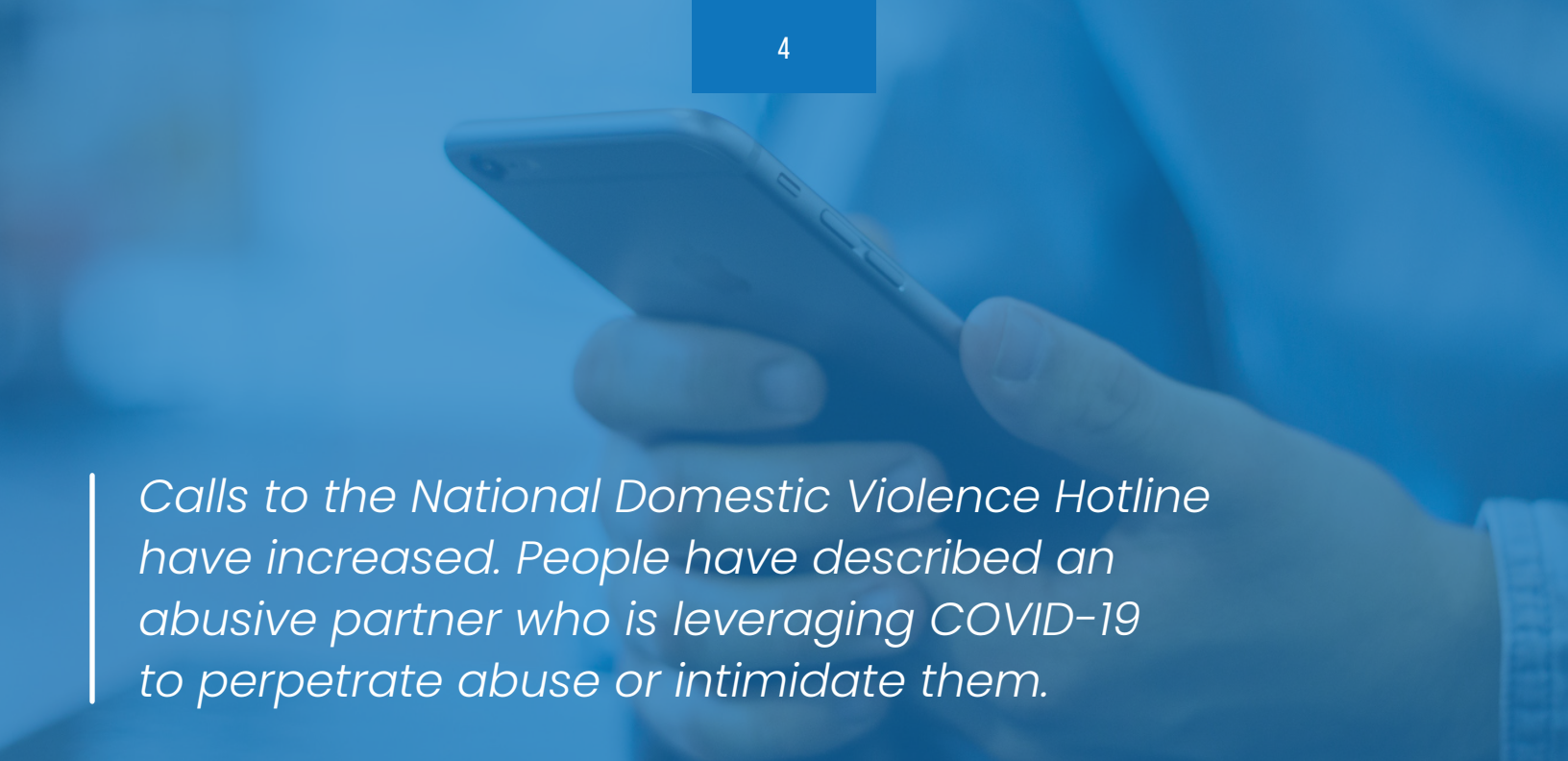
Many jurisdictions across the nation have instituted shelter-in-place orders that restrict people's movements to essential travel only. Domestic violence victims may believe that they cannot leave their homes or may not know where to go.

FEAR OF SEEKING MEDICAL TREATMENT

Some domestic violence victims who have called into hotlines have reported fear of seeking medical treatment for their domestic violence injuries. They are concerned about going to hospitals or other medical facilities and being exposed to COVID-19.

FEAR OF PUTTING OTHERS AT RISK

Other victims are concerned about leaving an abusive relationship and moving in with other people who may be more vulnerable to the virus. For example, they might be afraid to move back in with their older parents who may be at greater risk of becoming seriously ill or dying from the virus.



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LACK OF RESOURCES

Many organizations are struggling financially due to a decline in donations, limited staff and stretching their limited resources to tend to patients with COVID-19 and those who have been negatively impacted economically due to the virus.

Additionally, some victims report that their abusers are withholding funds or medical supplies as an additional way to leverage the COVID-19 situation and to further isolate their victims.

CLOSED ORGANIZATIONS

Some domestic violence organizations and auxiliary services have temporarily closed due to the current pandemic. For example, New York City's Family Justice Centers offices where domestic violence victims visit in person for assistance have been closed since March 18, 2020. Without access to domestic violence shelters or related organizations, victims may be forced to suffer in place.

CLOSED COURTS

The closure of many courts may delay when a domestic violence victim can file a petition for legal assistance. Even if courts are open for emergency orders, domestic violence victims may not be aware of the steps necessary to access the court.

LEGAL OPTIONS FOR DOMESTIC VIOLENCE VICTIMS

Domestic violence victims have legal options that can help prevent further abuse. Many courts that are otherwise closed are still open for emergency orders. They may conduct in-person or telephonic hearings. To establish that a case is an “emergency” rather than a “routine” filing, you may have to prove that you or your property is in imminent danger of harm.

All states offer some form of relief such as an order of protection, protective order, restraining order or similar legal mechanism, which bans an alleged abuser from having direct or indirect contact with the victim. This order may prohibit the abuser from being within a certain number of feet from the victim. The order may also instruct law enforcement to escort the abuser from a shared residence and prohibit him or her from coming to the victim’s place of work and other places he or she frequents.

Orders of protection may also make temporary provisions for other family issues, such as temporary child custody, visitation provisions, financial orders (such as maintaining health insurance or mortgage payments), child support, and spousal support. They can also order that the abuser forfeit any firearms.

Domestic violence victims typically obtain an *ex parte* order to begin this process. An *ex parte* order is a court order that a person receives without the other party being present. This order is temporary and will state when a hearing will be conducted for the defendant to respond. Domestic violence shelters, court clerks, law enforcement officers, social workers, and others may be able to help begin this process.

The *ex parte* order is usually enough to remove the abuser from a shared residence. A hearing will be scheduled for later. Because of the pandemic, this hearing may be delayed in your jurisdiction, but you may be able to extend your order until the continued date for the hearing.

It is important to engage the services of a lawyer in the process so that when a hearing does take place, he or she can present evidence and question your abuser to substantiate a longer order. States have maximum limits for how long such orders can remain in place, with some offering up to 10 years of protection while others last for the victim’s lifetime.

The CARES Act, the economic stimulus bill, provided \$45 million to provide additional support to family violence shelters and \$2 million for additional support for the National Domestic Violence Hotline, so you can check if these services are available to you. If possible, try to leave before your area is subject to a shelter-in-place order so that you can tap into local resources and file your legal claim while things are still active.

SAFETY PLANNING DURING THE PANDEMIC

One of the most violent times in a domestic violence relationship is when the victim tries to leave. Creating a safety plan is important when you want to safely leave a domestic violence relationship, but it is especially important now during these unprecedented times.

Some guidelines to keep you safe during this time include:

- Know that it is okay for you to leave during a shelter-in-place order. Your safety is essential.
- Try to find a safe place in your home to hide during a violent outburst or if your partner is escalating.
- Stay in touch with your support network, if possible. Domestic violence victims are reporting that abusers are using the current situation to further isolate their victims.
- Keep phone numbers for emergency contacts and law enforcement handy or on speed dial in case you need them.
- Try to develop a system to alert neighbors when you are being abused so that they can call for help. For example, you may be able to flick on a light switch to alert them.
- Create a plan of where you will be able to go if you leave. You may need to try to call around to local shelters to see if they are taking people during this time and their protocol. Some shelters may be able to pay for a motel room for a few days even if they are not currently taking in additional clients to the shelter.
- Know when it is safe to leave. Know your abuser's routine, such as what time he or she leaves for work or will be gone from your residence for a longer time.

EMERGENCY SUPPLY BAG

One of the most important aspects of creating a safety plan is having a bag of emergency supplies available in a safe place. You can keep the bag in a location away from your home with a trusted third party. If something bad happens, you will at least have these things with you.

Some things to pack in your emergency supply bag include:

- Your legal papers, such as a petition for divorce and your birth certificate, passport, social security card, driver's license and registration for your vehicle.
- Your children's legal papers, including their birth certificates, social security cards, important school records, and health records.
- Insurance papers for your vehicle, health insurance, and your children's health insurance.
- Financial access, such as checks, debit and credit cards, and public benefit cards.
- Housing records, including your lease, mortgage payment book, and house deed
- Evidence of abuse, including your order of protection and pictures and recordings of abuse.
- Immigration documents, including your permanent resident card, work permits and visa.
- Keys to your house, vehicle, and safe deposit box.



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- Medications for you and your children.
- Items of sentimental value, such as your child's favorite toy or blanket and photographs.
- A disposable phone.
- Clothing and hygiene items for you and your children.

You may wish to keep some of these items in your purse so that you have important documents in case of an emergency and then pack a separate bag with snacks, clothes, and hygiene items.

TECHNOLOGICAL TOOLS THAT CAN HELP

You may have access to technological tools that can help you protect yourself during this difficult time. Several apps provide information to users about [local resources](#) for shelter, counseling, and medical attention. Additionally, some wearable devices allow you to discretely signal your need for help during an attack. These devices may also alert law enforcement with your GPS-enabled location and may live-stream [audio](#) during the incident.

OTHER TOOLS THAT CAN HELP

The federal Fair Housing Act prohibits discrimination based on sex, so policies that target or discriminate against women because of their status as domestic violence survivors are likely illegal. This law may be able to help you from being evicted or otherwise harmed by your landlord due to domestic violence.

Additionally, many **state and local laws** have been enacted to provide greater housing protections to domestic violence survivors. You may also be legally permitted to change locks, set up cameras, and install outdoor lighting for greater safety.

CALLS TO MAKE

The National Domestic Violence Hotline can help you with your safety plan and give you information about what to do. You can call them at 1-800-799-7233 or visit them online at <https://www.thehotline.org/help/>. You should also contact a family lawyer familiar with domestic violence cases so that you can take immediate steps to protect you and your family.