

Close the Gaps



NYSCADV
NEW YORK STATE COALITION
AGAINST DOMESTIC VIOLENCE

DISCRIMINATION

HOUSING

EMPLOYMENT

ECONOMIC

GEOGRAPHY

JUSTICE

INEQUALITY

LEGISLATIVE
AWARENESS
DAY
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The New York State Coalition Against Domestic Violence (NYSCADV)

SUPPORTS

The Women's Equality Act

A.8070 Titus

NYSCADV urges the legislature to support the Governor's efforts to end gender disparity by passing legislation that promotes women's equality.

New York has long served as a model for equality and fairness on several issues, including women's rights. We commend Governor Cuomo's plans to advance a 10-Point Women's Equality Act that will break down barriers that perpetuate discrimination and inequality based on gender. This ten point plan has a positive impact on the lives of all women but has specific provisions that are essential to victims of domestic violence.

The Women's Equality Act addresses issues that are essential to a victim's independence from their abuser.

Empowerment is the process through which individuals gain control over their lives and the ten point plan promotes this. Lack of access to economic resources forces victims of domestic violence to be more dependent on their abusers, enhancing the power and control that abusers already have. This ten point plan promotes economic justice for women by strengthening laws that prevent practices that push women out of the workforce, deny them access to safe and affordable housing, create barriers to legal protection, and it holds the people who discriminate against, exploit or abuse women accountable for their actions.

The Women's Equality Act will stop housing discrimination against victims of domestic violence.

The state legislature has passed many laws over the last 30 years to create mechanisms of safety for victims of domestic violence such as emergency shelter or other services supportive of relocation. But these services cannot work to their fullest extent if there are barriers that prevent victims from moving forward. One of those barriers is the discrimination that victims of domestic violence face in trying to rent, lease or buy housing.

- Landlords and sellers of property should not be permitted to discriminate against domestic violence based on assumptions about the effect that their tenancy or home ownership may have on property or persons. Yet, they do!
 - Studies show that when potential landlords identify that the prospective tenant is a victim of domestic violence they either refuse to rent what is available or express that there is no availability. How is shelter or any other relocation effort supposed to be effective if no landlords will rent to you?
- This discrimination also translates into victims of domestic violence being evicted because of the behavior that *their batter chooses to use*.
 - For example, victim's who call the police to enforce orders of protection are identified as a nuisance by their landlord and evicted yet the victim is doing what the court, and society, instructs them to do. Allowing victims of domestic violence to lose their housing through discrimination puts families at risk and increases costs to communities who must consequently provide services to survivors and their children.

Anti-discrimination laws are clearly necessary. The federal government has laws that prevent federally subsidized housing authorities from discriminating against victims of domestic violence but it is up to the state to protect victims from private landlords. It is time to end this discrepancy and pass legislation that protects all victims of domestic violence in New York State.

The Women’s Equality Act is a significant remedy for victims of domestic violence.

The Women’s Equality Act will strengthen order of protection laws.

Data supports the fact that orders of protection are a widely sought by victims of domestic violence to improve their safety and hold offenders accountable. According to the New York State Office for the Prevention of Domestic Violence, 178,911 temporary and 39,961 final orders of protection were issued in 2011 by New York State courts. This bill will strengthen existing laws by:

- ***improving the petition process for family court orders of protection.***

To obtain a family court order of protection in New York, one must petition the court in writing and then appear before a judge to attest to the statement of allegations. This emergency, ex-parte proceeding can be time consuming and access to the court may be limited in emergency situations. This bill authorizes the chief administrator of New York’s courts to establish a pilot program that will refine this process by allowing the petition process to be conducted by electronic means (i.e. video conferencing). This pilot program allows counties to designate a remote location where victims can meet with a domestic violence advocate or civil legal service provider, be informed of their rights and options, and if they choose to do so, they could complete the petition at that site and meet with the judge via video testimony. This will expedite the process and reduce the burden many victims face in getting to the court on an emergency basis.

Promoting Women’s Equality is Necessary to Preventing Domestic Violence

The United Nations Population Fund (UNFPA) recognizes that “violence against women is inextricably linked to gender-based inequalities.¹” Ending gender disparity is a critical part of ultimately preventing domestic violence. Viewed in the social aggregate through myriad lenses, men and women have unequal power. Income disparities, occupational segregation, disproportionate representation in public and private sector leadership positions, disparate legal status, traditional and popular culture objectification of women, and more, exemplify the unequal status and valuing of men and women. These systemic and social constructs of male power are mirrored by social constructions of masculinity that emphasize power and maintaining control, especially in relation to the “objectified other.” This diminishment of women invariably leads to violence and other forms of abuse.

**This ten point plan is necessary to break down barriers
that perpetuate discrimination and inequality based on gender.**

¹ UNFPA. (n.d.) gender inequality: ending widespread violence against women. Retrieved from <http://www.unfpa.org/gender/violence.htm> on April 7, 2013.