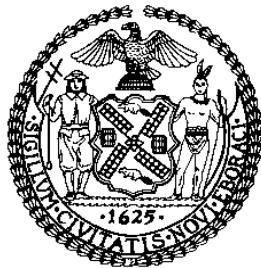


Committee on Women:
Brenda McKinney, *Counsel*
Chloë Rivera, *Policy Analyst*
Daniel Kroop, *Finance Analyst*



The Council of the City of New York

COMMITTEE REPORT AND BRIEFING PAPER
OF THE HUMAN SERVICES DIVISION

Jeffrey Baker, *Legislative Director*
Andrea Vazquez, *Deputy Director, Human Services Division*

COMMITTEE ON WOMEN
Hon. Helen K. Rosenthal, *Chair*

October 24, 2018

Oversight: Mayor's Office to End Domestic and Gender-Based Violence

INT. NO. 351	By Council Members Rosenthal, Brannan, Maisel, Ayala, Rivera, Cumbo and Chin
TITLE:	A Local Law to amend the New York city charter, in relation to reporting on certain domestic violence initiatives
ADMINISTRATIVE CODE:	Amends section 19 of chapter 1 of the charter.
PROPOSED INT. NO. 371-A	By Council Members Salamanca, Brannan and Rosenthal
TITLE:	A Local Law to amend the administrative code of the city of New York, in relation to trainings to help cosmetologists recognize signs of domestic violence in their clients
ADMINISTRATIVE CODE:	Adds sections 3-170 and 3-171.
INT. NO. 542	By Council Members Lancman, Rosenthal and Cumbo
TITLE:	A Local Law to amend the New York city charter, in relation to requiring the office to combat domestic violence to provide clients with service satisfaction surveys
ADMINISTRATIVE CODE:	Amends section 19 of chapter 1 of the charter.

INT. NO. 1085 By Council Members Treyger, Cumbo, Richards, Ampry-Samuel, Koslowitz, Holden, Adams and Ayala

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to providing legal services to victims of domestic violence in divorce proceedings

ADMINISTRATIVE CODE: Adds new sections 10-1201 and 10-1202.

I. INTRODUCTION

On October 24, 2018, the Committee on Women, chaired by Council Member Helen K. Rosenthal, will hold an oversight hearing on the Mayor's Office to End Domestic and Gender-Based Violence. The Committee will also hear Introduction Number 351 ("Int. 351"), a local law to amend the New York city charter, in relation to reporting on certain domestic violence initiatives; Proposed Introduction Number 371-A ("Proposed Int. 371-A"), a local law to amend the administrative code of the city of New York, in relation to trainings to help cosmetologists recognize signs of domestic violence in their clients; Introduction Number 542 ("Int. 542"), a local law to amend the New York city charter, in relation to requiring the office to combat domestic violence to provide clients with service satisfaction surveys; and Introduction Number 1085 ("Int. 1085"), a local law to amend the administrative code of the city of New York, in relation to providing legal services to victims of domestic violence in divorce proceedings.¹ Witnesses invited to testify include the Mayor's Office to End Domestic and Gender-Based Violence (ENDGBV), as well as local legal services offices, activists, advocacy groups, experts in the fields of gender equality and gender-based violence, and other interested stakeholders.

¹ This report utilizes both the terms survivor and victim 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* (last visited Oct. 19, 2018), available at <https://www.rainn.org/articles/key-terms-and-phrases>.

II. BACKGROUND

Domestic violence, offenses committed by and against members of the same family or household and individuals who are or have been in an intimate relationship where the abuser exerts power and control over the victim,² is a crime in the state of New York.³ Intimate partner violence (IPV), a subset of domestic violence, refers to abusive behavior involving victims and offenders who are married, formerly married, have a child in common, or are involved in an intimate relationship to gain or maintain power and control.⁴ Domestic violence and IPV, which include economic, emotional, physical, and sexual abuse and controlling behaviors, occur in all settings and among all cultural, religious, and socioeconomic groups, but primarily affect women, and racial and ethnic minorities.⁵

Domestic violence, and IPV in particular, has traditionally been examined through a framework that is based on male-perpetuated violence against women.⁶ Such offenses, which are rooted in power and control, can be linked to assertion of male privilege and are likely related to

² 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..New York City Mayor’s Office to Combat Domestic Violence (hereinafter “ENDGBV”), *NYC Domestic Violence Task Force: 2017 goals and recommendations* 1, 10 (May 2017), 10, available at <https://www1.nyc.gov/assets/criminaljustice/downloads/pdfs/domestic-violence-task-force-2017-recommendations.pdf>; See Mayo Clinic Staff, Domestic Violence Against Women: Recognize Patterns, Seek Help (last visited Oct. 19, 2018), available at <https://www.mayoclinic.org/healthy-lifestyle/adult-health/in-depth/domestic-violence/art-20048397> (reflecting on the fact that domestic violence is often not an isolated incident but series behaviors and patterns); New York State Office for the Prevention of Domestic Violence, *Domestic Violence and Faith Communities: Guidelines for Leaders* (2016), available at <http://www.opdv.ny.gov/professionals/faith/guidelines.pdf> (highlighting that while definitions of domestic violence vary by jurisdiction, it is characterized as a series of patterns).

³ See ENDGBV, *NYC Domestic Violence Task Force: 2017 goals and recommendations* 1, 10 (May 2017), 10, available at <https://www1.nyc.gov/assets/criminaljustice/downloads/pdfs/domestic-violence-task-force-2017-recommendations.pdf>.

⁴ *Id.*

⁵ 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.

⁶ D.J. Whitaker, T. Haileyesus, Swahn, and L.S.Saltzman, *Differences in Frequency of Violence and Reported Injury Between Relationships with Reciprocal and Nonreciprocal Intimate Partner Violence*, 97(5) AM J PUBLIC HEALTH 941-7 (2007), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1854883/>.

gender inequities.⁷ Related data therefore almost always implicitly refers to the experiences of cisgender, heterosexually identified women, at the exclusion of transgender and gender nonconforming populations.⁸ Accordingly, gender-based violence (GBV), refers to any offense that is perpetrated against an individual's will and that results from power inequalities based on actual or perceived sex, gender identity, or socially-defined norms of masculinity and femininity.⁹

Nationally, according to the Centers for Disease Control's 2017 National Intimate Partner and Sexual Violence Survey (NISVS), an average of 37.3 percent of women and an average of 30.9 percent of men experienced intimate partner contact sexual violence, physical violence, and/or stalking during their lifetime.¹⁰ The NISVS also reported that an average of 27.4 percent of women and an average of 11 percent of men have experienced contact sexual violence, physical violence, and/or stalking by an intimate partner in their lifetime and experienced an IPV-related impact, such as injury, fear, concern for safety, or needing services.¹¹ Among racial/ethnic groups in the United States (U.S.), 56.6 percent of multiracial women, 47.5 percent of American Indian/Alaska Native women, 45.1 percent of non-Hispanic Black women, 37.3 percent of non-Hispanic White women, 34.4 percent of Hispanic women, and 18.3 percent of Asian-Pacific

⁷ *Id.*

⁸ Andrea L. Wirtz, et al., *Gender-Based Violence Against Transgender People in the United States: A Call for Research and Programming*, TRAUMA, VIOLENCE, & ABUSE (Feb. 2018), available at <http://journals.sagepub.com/doi/10.1177/1524838018757749>.

⁹ See ENDGBV, "What is Gender-Based Violence" Introduction to Domestic Violence & GBV (last visited Oct. 21, 2018), available at <https://www1.nyc.gov/site/ocdv/services/introduction-to-domestic-violence-and-gender-based-violence.page>.

¹⁰ S.G. Smith, J. Chen, K.C. Basile, L.K. Gilbert, M.T. Merrick, N. Patel, M. Walling, and A. Jain, *The National Intimate Partner and Sexual Violence Survey (NISVS): 2010-2012 State Report*, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention 1, 2 (2017), available at <https://www.cdc.gov/violenceprevention/pdf/NISVS-StateReportBook.pdf>.

¹¹ *Id.* at 1, 2-3.

Islander women experienced contact sexual violence, physical violence, and/or stalking by an intimate partner in their lifetime.¹²

While overall crime rates have fallen in New York City (NYC) over the past decade, the number of domestic violence homicides has remained steady and domestic violence has assumed a larger percentage of overall crime.¹³ According to its website, the NYC Police Department (NYPD) responds to approximately 230,000 domestic incidents annually, or about 600 calls a day.¹⁴ However, recently-released statistics revealed that domestic violence investigations by the NYPD are up four percent, with 216,000 domestic violence investigations opened as of October 2018.¹⁵

Between 2010 and 2017, there were 508 domestic violence homicide incidents involving 544 victims, accounting for 17.5 percent of homicides that occurred in NYC.¹⁶ Of the 544 victims, there was a total of 280 intimate partner homicides.¹⁷ From 2016 to 2017, there was a 20.6 percent decline in the number of domestic violence homicides; a 31.6 percent decline in the number of intimate partner homicides; and a four percent decline in the number of other family-related homicides.¹⁸ See Figure 1.

¹² *Id.* at 3.

¹³ ENDGBV, *NYC Domestic Violence Task Force: 2017 goals and recommendations* (May 2017), 2, available at <https://www1.nyc.gov/assets/criminaljustice/downloads/pdfs/domestic-violence-task-force-2017-recommendations.pdf>.

¹⁴ See New York City Police Department, *Domestic Violence* (last visited Oct. 21, 2018), available at <https://www1.nyc.gov/site/nypd/services/law-enforcement/domestic-violence.page>.

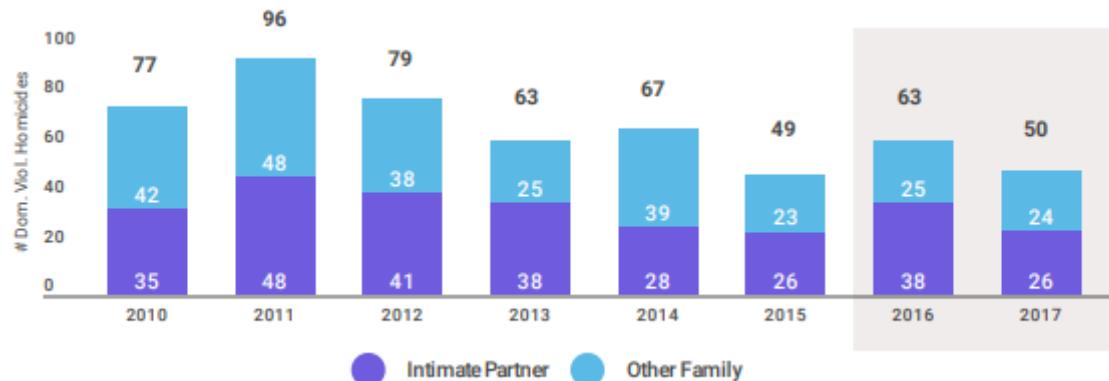
¹⁵ Rocco Parascandola and Thomas Tracy, *Domestic Violence Investigations Up 4%, NYPD Statistics Reveal*, NEW YORK DAILY NEWS (Oct. 10, 2018), available at <http://www.nydailynews.com/new-york/nyc-crime/ny-metro-body-cameras-domestic-violence-20181010-story.html>.

¹⁶ New York City Domestic Violence Fatality Review Committee, *2018 Annual Report* 1,2 (2018), available at https://www1.nyc.gov/assets/ocdv/downloads/pdf/2018_Annual_FRC_Report_Final.pdf.

¹⁷ Kara Noesner, Sandhya Kajepeta and Edward Hill, *Data Brief: Intimate Partner Homicide-Suicide in New York City (2010-2017)*, New York City Mayor's Office to End Domestic and Gender-Based Violence 1, 2 (Oct. 2018), available at https://www1.nyc.gov/assets/ocdv/downloads/pdf/201810_Intimate%20Partner%20Homicide-Suicide%20Brief_FINAL.pdf.

¹⁸ *Supra* note 16.

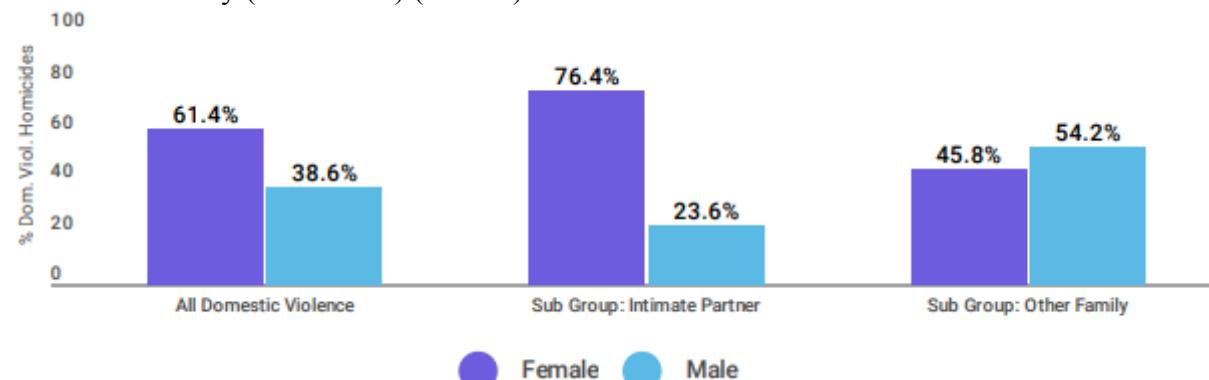
Figure 1. New York City Domestic Violence Homicides: by Intimate Partner vs. Other Family (2010-2017) (N=544)



Source: New York City Domestic Violence Fatality Review Committee, 2018 Annual Report, New York City Mayor's Office to Combat Domestic Violence (2018), p. 2.

Overall, the majority of domestic violence homicide victims are women. Of the 544 victims of all domestic homicide incidents that occurred between 2010 and 2017, 61.4 percent were women; broken down by subgroup, 76.4 percent of intimate partner homicide victims were women and 54.2 percent of other family homicide victims were men.¹⁹ See **Figure 2**.

Figure 2. New York City Domestic Violence Homicides: by Sex/Sub Groups Intimate Partner and Other Family (2010-2017) (N=544)

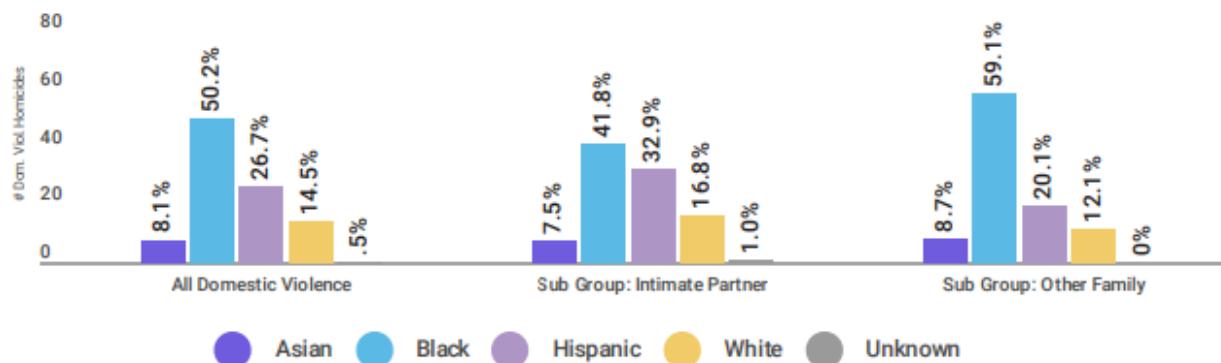


¹⁹ *Supra* note 16 at 4.

Source: New York City Domestic Violence Fatality Review Committee, 2018 Annual Report, New York City Mayor's Office to Combat Domestic Violence (2018), p. 4.

During the same period, a disproportionate majority of homicide victims were Black, accounting for 50.2 percent of domestic homicide victims, 41.8 percent of intimate partner homicide victims, and 59.1 percent of victims of homicide involving other family members.²⁰ See **Figure 3**.

Figure 3. New York City Domestic Violence Homicides: by Sex/Sub Groups Intimate Partner and Other Family (2010-2017) (N=544)



Source: New York City Domestic Violence Fatality Review Committee, 2018 Annual Report, New York City Mayor's Office to Combat Domestic Violence (2018), p. 4.

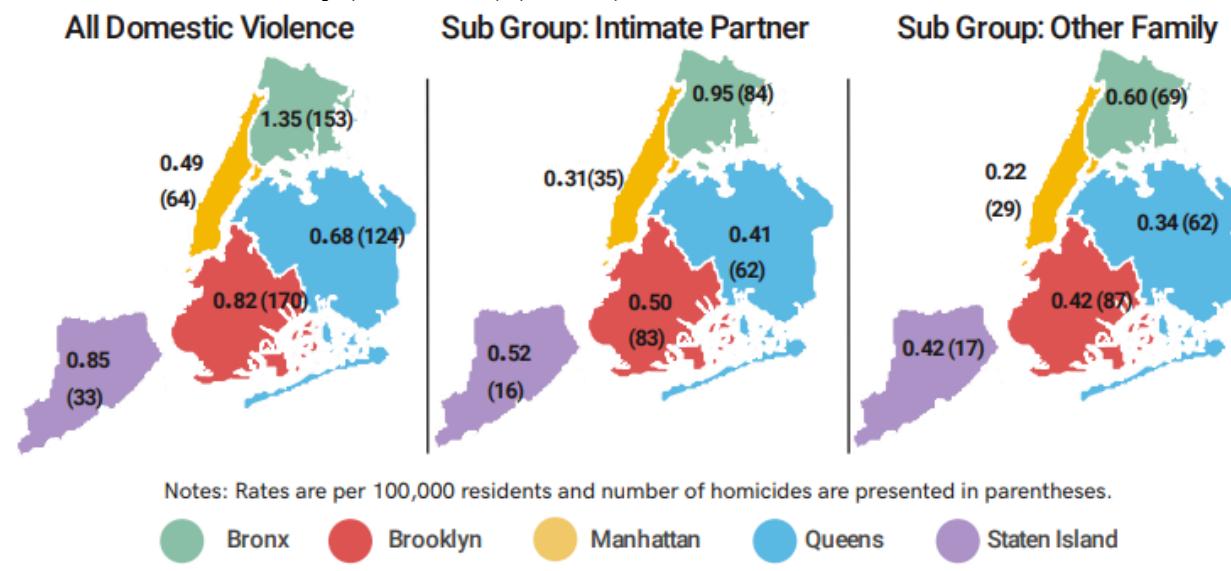
Among the five boroughs between 2010 and 2017, with 170, Brooklyn had the highest number of domestic violence homicides.²¹ However, the Bronx had the highest rate of domestic violence homicides, with 1.35 per 100,000 residents, as well as the highest number, 84, and rate of intimate partner homicides, with 0.95 per 100,000.²² See **Figure 4**.

²⁰ *Supra* note 16 at 4.

²¹ *Supra* note 16 at 5.

²² *Supra* note 16 at 5.

Figure 4. New York City Domestic Violence Homicides: by Borough/Sub Groups Intimate Partner and Other Family (2010-2017) (N=544)



Source: New York City Domestic Violence Fatality Review Committee, 2018 Annual Report, New York City Mayor's Office to Combat Domestic Violence (2018), p. 5.

Of the 280 intimate partner homicides that occurred between 2010 and 2017, 40 included death by suicide, in which an abusive partner murdered their intimate partner and then died by suicide.²³ Of the 40 intimate partner homicide-suicide cases, 95 percent of victims were women and 98 percent of perpetrators were men, and 40 percent involved a victim and perpetrator who were married at the time of the incident.²⁴ In 56 percent of intimate partner homicide cases and 70 percent of intimate partner homicide-suicide cases, there was no reported history of domestic

²³ *Supra* note 17.

²⁴ *Supra* note 17 at 1-2.

violence to the NYPD between the couple.²⁵ Additionally, only 15 percent of intimate partner homicide cases and eight percent of intimate partner homicide-suicide cases has an active order of protection.²⁶ See **Figure 5**.



III. MAYOR'S OFFICE TO END DOMESTIC AND GENDER-BASED VIOLENCE

The Mayor's Office to End Domestic and Gender Based Violence (ENDGBV, or "the Office") was created as the Mayor's Office to Combat Domestic Violence (OCDV)²⁷ in 2001 when residents voted to make the office a permanent part of City government.²⁸ ENDGBV is one of only

²⁵ *Supra* note 17 at 1-2.

²⁶ *Supra* note 17 at 1-2.

²⁷ On September 7, 2018, Mayor de Blasio issued an executive order expanding the mission and authority of OCDV and changing the name to the ENDGBV, to coordinate services, create policy and interventions, and develop citywide system responses to gender-based and domestic violence issues. See New York City, *First Lady McCray Announces Launch of Mayor's Office to End Domestic and Gender-Based Violence* (Sept. 7, 2018), available at <https://www1.nyc.gov/office-of-the-mayor/news/461-18/first-lady-mccray-launch-mayor-s-office-end-domestic-gender-based-violence>. To reflect the name change, this report primarily uses ENDGBV to refer to the Office. Some sections, such as those with legislation, still utilize OCDV, however, to reflect that the new office name is not codified.

²⁸ NYC Charter Revision Commission, *Pre-2003 Reports & Ballot Issues Archive* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/site/charter/reports/pre-2003-reports-ballot-issues-archive.page>; ENDGBV, *End GBV* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/site/ocdv/about/about-endgbv.page>; Lendon Ebbels, *Heal the Healers Profile: Yolanda Jimenez*, JOYFUL HEART FOUNDATION (last visited Oct. 19, 2018), available at <http://www.joyfulheartfoundation.org/reunion/heal-healers-profile-yolanda-jimenez>.

a few government offices across the country that focus solely on issues of domestic violence,²⁹ and is charged with formulating policies and programs regarding the citywide delivery of services to victims of domestic violence, GBV, and human trafficking.³⁰ The Office, which is comprised of 17 positions and receives about \$1.7 million in annual funding,³¹ works closely with City agencies, community-based organizations, community leaders, and others to increase awareness of domestic violence and to make it as easy as possible for domestic violence victims and their children to get the help that they need, regardless of the language they speak or their immigration status. ENDGBV also creates programs that are critical to preventing domestic violence and works with the criminal justice system to hold abusers accountable.³² To this end, the Office has sponsored a number of initiatives that attempt to coordinate and promote the smooth delivery of services to victims of domestic violence.³³ Over the years, these initiatives have included such programs as NYC's Domestic Violence Hotline; Alternatives to Shelter Program; a Dating

²⁹ ENDGBV, *Domestic Violence Response Team: DVRT Staten Island* (last visited Oct. 19, 2018), available at http://www.nyc.gov/html/ocdv/downloads/pdf/DVRT_Brochure.pdf; ENDGBV, *About the Mayor's Office to Combat Domestic Violence* (last visited Oct. 19, 2018), available at https://cdn.ymaws.com/www.aabany.org/resource/resmgr/PDFs/Domestic_Violence.pdf; See also ENDGBV, *End GBV* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/site/ocdv/about/about-endgbv.page>; https.

³⁰ ENDGBV, *About the Mayor's Office to Combat Domestic Violence* (last visited Oct. 19, 2018), available at https://cdn.ymaws.com/www.aabany.org/resource/resmgr/PDFs/Domestic_Violence.pdf; ENDGBV, *2017 Annual Report* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/assets/ocdv/downloads/pdf/2017-annual-report.pdf>; New York City, *First Lady McCray Announces the Launch of the Mayor's Office to End Domestic and Gender-Based Violence* (Sept. 7, 2018), available at <https://www1.nyc.gov/office-of-the-mayor/news/461-18/first-lady-mccray-launch-mayor-s-office-end-domestic-gender-based-violence>.

³¹ The office is categorized as part of the Office of the Mayor within the Mayoralty for budgetary purposes. See ENDGBV, *2017 Annual Report* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/assets/ocdv/downloads/pdf/2017-annual-report.pdf> (highlighting stable figures; pointing to additional funding sources through federal agencies and private foundations).

³² ENDGBV, *2017 Annual Report* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/assets/ocdv/downloads/pdf/2017-annual-report.pdf>; New York City, *First Lady McCray Announces the Launch of the Mayor's Office to End Domestic and Gender-Based Violence* (Sept. 7, 2018), available at <https://www1.nyc.gov/office-of-the-mayor/news/461-18/first-lady-mccray-launch-mayor-s-office-end-domestic-gender-based-violence>.

³³ *Id.*

Violence program for Teens; the Domestic Violence Healthcare Education Project; and the Adopt-a-School Initiative.³⁴

ENDGBV is also engaged in leading citywide efforts to assess and response to domestic violence and GBV. For instance, ENDGBV chairs the Domestic Violence Fatality Review Committee, which reviews aggregate-level data of domestic violence fatalities and develops recommendations for enhancing domestic violence response in NYC; co-leads the Mayor's Domestic Violence Task Force,³⁵ in collaboration with the Mayor's Office on Criminal Justice (MOCJ); and operates the City's five Family Justice Centers (FJCs) that provide comprehensive services for survivors and their families in each borough.³⁶ ENDGBV's Commissioner, Cecile Noel, also co-leads the NYC Domestic Violence Task Force (DVT), along with Elizabeth Glazer, Director of MOCJ, and the DVT's Executive Director, Bea Hanson, to develop a comprehensive citywide strategy to address domestic violence-related issues.³⁷ In September 2018, the Mayor

³⁴ *Id.*

³⁵ Established by Local Law 61 of 2005, the Fatality Review Committee (FRC) is tasked with summarizing information pertaining to domestic violence homicides in New York City and developing recommendations for the coordination and improvement of services for domestic violence homicide victims in New York City. The FRC is chaired by the Commissioner of ENDGBV and includes staff from ten City agencies, two representatives from social services agencies and two survivors of domestic violence. ENDGBV, *2017 Annual Report* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/assets/ocdv/downloads/pdf/2017-annual-report.pdf>; ENDGBV, *Fatality Review Committee* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/site/ocdv/press-resources/fatality-review-committee.page>; New York City Fatality Review Committee, *2018 Annual Report* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/site/ocdv/press-resources/fatality-review-committee.page>; https://www1.nyc.gov/assets/ocdv/downloads/pdf/2018_Annual_FRC_Report_Final.pdf. See Domestic Shelters staff, *New York Launches Taskforce to Combat Domestic Violence* (Jul. 3, 2017), available at <https://www.domesticshelters.org/domestic-violence-articles-information/new-york-city-launches-task-force-to-combat-domestic-violence>.

³⁶ The first FJC opened in Brooklyn in 2005 and the other locations were modeled after that location. The inclusion of an FJC in each borough has enabled the City to provide borough or community-specific services and serve survivors in that borough (e.g., the Brooklyn FJC is designed to help Brooklyn domestic violence victims). The FJCs function as a one-stop-shop for survivors that provides information and services for domestic violence victims in one location. Clients may walk in and choose which services they need, including counseling, advocacy, meeting with a prosecutor, shelter and housing help, and legal information. A separate room is provided where children may play safely. ENDGBV and the District Attorney's Offices in each borough are the primary sponsors; however, professionals from a wide range of community-based organizations, faith-based organizations, and government agencies also provide services at each FJC. See ENDGBV, *Family Justice Centers* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/site/ocdv/programs/family-justice-centers.page>; ENDGB, *About the Mayor's Office to Combat Domestic Violence* (last visited Oct. 19, 2018), available at https://cdn.ymaws.com/www.aabany.org/resource/resmgr/PDFs/Domestic_Violence.pdf.

³⁷ ENDGBV, *Family Justice Centers* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/site/ocdv/programs/family-justice-centers.page>; New York City, *Expansion of the Domestic*

created an Advisory Committee, chaired by ENDGBV, which will review individual case-level data of gender-based and domestic violence fatalities, to assist this work by also engaging in an intensive review of GBV fatalities and developing innovative recommendations to enhance responses and interventions.³⁸

These taskforces and groups also undertake a number of the city's domestic violence initiatives on behalf of the Office. Last year, the DVTF announced 32 new initiatives, supported by \$11 million in funding, to reduce violence and enhance the safety and wellbeing of survivors of domestic violence and their families, which includes:³⁹

- **Early-RAPP:** This program is an expansion of healthy relationship education to 128 middle schools throughout all five boroughs that will “re-tool and expand upon” existing high school-based teen dating abuse programs, aiming at reaching students earlier, when relationships most often begin;⁴⁰
- **NYC Hope:** This is a web-based portal that will provide centralized access to information, education and resource for domestic violence survivors, providers and community members and stakeholders;⁴¹
- **We Understand:** This is a domestic violence public awareness campaign, which launched in February 2018 and focuses on telling the diverse and wide-ranging stories of domestic violence

Violence Task Force Recommendations (last visited Oct. 19, 2018), available at https://www1.nyc.gov/assets/ocdv/downloads/pdf/201710_DVTF-Expansion-of-the-Domestic-Violence-Task-Force-Recommendations.pdf; Mayor’s Office to Combat Domestic Violence, *2017 Annual Report* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/assets/ocdv/downloads/pdf/2017-annual-report.pdf>.

³⁸ The Advisory Committee will be the first of its kind in the U.S. See ENDGBV, *2017 Annual Report* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/assets/ocdv/downloads/pdf/2017-annual-report.pdf>; New York City, *First Lady McCray Announces the Launch of the Mayor’s Office to End Domestic and Gender-Based Violence* (Sept. 7, 2018), available at <https://www1.nyc.gov/office-of-the-mayor/news/461-18/first-lady-mccray-launch-mayor-s-office-end-domestic-gender-based-violence>.

³⁹ *Supra* note 32.

⁴⁰ This is important because an estimated 1 in 10 teens in a dating relationship reported experiencing physical dating violence in the past year, and that number is double for LGBTQ-identified youth and triple for pregnant or parenting teens. ENDGBV, *2017 Annual Report* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/assets/ocdv/downloads/pdf/2017-annual-report.pdf>; New York City, *Expansion of the Domestic Violence Task Force Recommendations* (last visited Oct. 19, 2018), available at https://www1.nyc.gov/assets/ocdv/downloads/pdf/201710_DVTF-Expansion-of-the-Domestic-Violence-Task-Force-Recommendations.pdf.

⁴¹ *Supra* note 32.

survivors that are not always visible and provides critical ways for New Yorkers to connect to the community and government resources for help;⁴²

- **Safe Families NYC:** This is a network of free supervised visitation resources in each borough that provides a safe place for children to attend court-ordered visitation with a noncustodial parent;⁴³ and
- **Home+Safe:** Home+Safe is an innovative program that will enable domestic violence survivors and their children to safely stay in their homes with access to high-tech alarm systems.⁴⁴

In addition to these efforts, ENDGBV also works closely with several City agencies to provide comprehensive domestic violence-related services, especially MOCJ with regard to the FJCs and Human Resources Administration (HRA) with regard to shelters.⁴⁵ Within HRA, this includes the Office of Domestic Violence and Emergency Intervention Services (ODVEIS), which provides temporary housing, emergency shelter, and supportive services for victims of domestic violence and their children; the Office of Domestic Violence (ODV), which administers the funding for the NYC domestic violence shelter system, which is comprised of emergency residential programs, as well as transitional housing programs for victims of domestic violence; and the Relationship Abuse Prevention Program Teen (RAPP), one of the most extensive domestic violence prevention programs in NYC, which is based in schools throughout the city.⁴⁶

⁴² *Supra* note 32.

⁴³ *Supra* note 32.

⁴⁴ *Supra* note 32.

⁴⁵ *Supra* note 32.

⁴⁶ HRA assists domestic violence survivors with services in the community or with placement in emergency HRA domestic violence shelters, as well, and is major source of ENDGBV's funding. See ENDGBV, *2017 Annual Report* (last visited Oct. 19, 2018), available at <https://www1.nyc.gov/assets/ocdv/downloads/pdf/2017-annual-report.pdf>; New York City Council, *Report of the Finance Division on the Fiscal 2018 Preliminary Budget and the Fiscal 2017 Preliminary Mayor's Management Report for the Human Resources Administration* (Mar. 27, 2017), available at <https://council.nyc.gov/budget/wp-content/HRA/uploads/sites/54/2017/03/069-HRA.pdf>; New York City Council, *Fiscal Year 2019 Adopted Expense Budget / Schedule C* (June 14, 2018), available at <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2018/06/Fiscal-2019-Schedule-C-Final-Report.pdf>.

IV. ISSUES AND CONCERNS

Gender-Based Initiatives and Transgender Communities

On October 21, 2018, the New York Times reported that the Trump Administration is considering proposing changes to Federal Civil Rights Law, which include amending the definition of “sex” to mean “a person’s status as male or female based on immutable biological traits identifiable by or before birth.”⁴⁷ The next day, President Trump confirmed his Administration is seriously considering adopting the language,⁴⁸ which would mean that the federal government “would effectively stop recognizing the very possibility of a person being transgender or intersex.”⁴⁹ Given the feedback from advocates that this change would weaken protections for transgender individuals and that the move is part of a broader attack on gender-based policies, ENDGBV’s new focus on GBV initiatives, and gender-focused policy issues is more relevant than ever.⁵⁰

⁴⁷ The story, which was also picked up by other news outlets, was based on leaked internal documents outlining the plans. Erica L. Green, Katie Benner and Robert Pear, ‘Transgender’ Could Be Defined Out of Existence Under Trump Administration, NEW YORK TIMES (Oct. 21, 2018), available at <https://www.nytimes.com/2018/10/21/us/politics/transgender-trump-administration-sex-definition.html>; Masha Gessen, *The Trauma of the Trump Administration’s Attack on Transgender People*, THE NEW YORKER (Oct. 22, 2018), available at <https://www.newyorker.com/news/our-columnists/the-trauma-of-the-trump-administrations-attacks-on-transgender-people>; Laura Meckler, Samantha Schmidt and Lena H. Sun, *Trump Administration Considering ‘Different Concepts’ Regarding Transgender Rights, with Some Pushing Back Internally*, WASHINGTON POST (Oct. 22, 2018), available at https://www.washingtonpost.com/national/trump-administration-considering-different-concepts-regarding-transgender-rights-with-some-pushing-back-internally/2018/10/22/0668f4da-d624-11e8-83a2-d1c3da28d6b6_story.html?noredirect=on&utm_term=.aab9e987306f.

⁴⁸ David Crary and Ricardo Alonso-Zaldivar, ‘I’m Protecting Everybody,’ President Trump Says After Reports His Administration Wants to Strip Transgender Protections, TIME (Oct. 22, 2018), available at <http://time.com/5431443/donald-trump-transgender-protections/>.

⁴⁹ Erica L. Green, Katie Benner and Robert Pear, ‘Transgender’ Could Be Defined Out of Existence Under Trump Administration, NEW YORK TIMES (Oct. 21, 2018), available at <https://www.nytimes.com/2018/10/21/us/politics/transgender-trump-administration-sex-definition.html>; Masha Gessen, *The Trauma of the Trump Administration’s Attack on Transgender People*, THE NEW YORKER (Oct. 22, 2018), available at <https://www.newyorker.com/news/our-columnists/the-trauma-of-the-trump-administrations-attacks-on-transgender-people>; Laura Meckler, Samantha Schmidt and Lena H. Sun, *Trump Administration Considering ‘Different Concepts’ Regarding Transgender Rights, with Some Pushing Back Internally*, WASHINGTON POST (Oct. 22, 2018), available at https://www.washingtonpost.com/national/trump-administration-considering-different-concepts-regarding-transgender-rights-with-some-pushing-back-internally/2018/10/22/0668f4da-d624-11e8-83a2-d1c3da28d6b6_story.html?noredirect=on&utm_term=.aab9e987306f.

⁵⁰ *Id.*

The Violence Against Women Act

The Violence Against Women Act (VAWA), which was the first federal legislation specifically aimed at helping victims of domestic violence when it passed in 1994, is up for reauthorization at end of this year.⁵¹ When it was authorized, VAWA provided for the investigation and prosecution of violent crimes against women, imposed automatic and mandatory restitution on those convicted, allowed civil redress in cases where prosecutors chose to leave cases unprosecuted, and established the Office on Violence Against Women (OVW) within the Department of Justice (DOJ).⁵² Through appropriations authorized by VAWA, OVW continues to run numerous programs across the country, including 25 grant programs that support domestic violence shelters, sexual assault crisis centers and hotlines, and legal support for victims, among many other programs.⁵³ In fact, the first FJC in Brooklyn was funded by OVW, and then expanded and baselined by the city.⁵⁴

While it is too soon to tell if there is reason for concern about reauthorization,⁵⁵ advocates point to the partisan struggle over reauthorizing the law that took place in 2013, when the Act was last reauthorized, and have voiced concern for maintaining critical victim services.⁵⁶ Liz Roberts,

⁵¹ The funding for VAWA expired in September, but was reauthorized temporarily until December. See Kate Thayer, *The Violence Against Women Act Could Expire Soon. Here's What's at Stake*, CHICAGO TRIBUNE (Oct. 1, 2018), available at <http://www.chicagotribune.com/lifestyles/ct-life-violence-against-women-act-explainer-20180927-story.html>; Susan Spencer, *Why the Violence Against Women Act Is More Important Than Ever*, YAHOO! (June 20, 2017), available at <https://www.yahoo.com/news/why-violence-against-women-act-170146196.html>.

⁵² Kate Thayer, *The Violence Against Women Act could expire soon. Here's What's at Stake*, CHICAGO TRIBUNE (Oct. 1, 2018), available at <http://www.chicagotribune.com/lifestyles/ct-life-violence-against-women-act-explainer-20180927-story.html>; Susan Spencer, *Why the Violence Against Women Act Is More Important Than Ever*, YAHOO! (June 20, 2017), available at <https://www.yahoo.com/news/why-violence-against-women-act-170146196.html>.

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ Susan Spencer, *Why the Violence Against Women Act Is More Important Than Ever*, YAHOO! (June 20, 2017), available at <https://www.yahoo.com/news/why-violence-against-women-act-170146196.html>.

⁵⁶ Colby Itkowitz, *The Health 202: In #MeToo era, Congress isn't Prioritizing Violence Against Women Programs*, WASHINGTON POST (Sept. 21, 2018), available at https://www.washingtonpost.com/news/powerpost/paloma/the-health-202/2018/09/21/the-health-202-in-metoo-era-congress-isn-t-prioritizing-violence-against-women-programs/5ba3e43e1b326b7c8a8d1587/?noredirect=on&utm_term=.c66a3a9f8df7; Melissa Jeltzen, *Violence Against Women Act Is About To Expire*, HUFFPOST (Aug. 8, 2018) available at

Deputy CEO of Safe Horizon in NYC, voiced the importance of maintaining OVW because “having one office that looks at domestic violence, sexual assault and stalking is powerful, since these issues overlap so much.”⁵⁷ She also cautioned that “DOJ could change the focus of the VAWA funds, directing money towards law enforcement and away from the non-profits that operate hotlines and shelters in communities across the country … And [advocates] may face a fight [for funding].”⁵⁸ If the funding were cut, “some domestic violence shelters or community-based programs would be forced to close.”⁵⁹

V. CONCLUSION

At the hearing, the Committee will seek an overview of the NYC Mayor’s Office to End Domestic and Gender-Based Violence, formerly the Mayor’s Office to Combat Domestic Violence. This includes an overview of how the office was expanded under Executive Order 36. In particular, the Committee is interested in examining policies and programs developed by the Office, as well as its work in providing training and prevention education, conducting research and evaluations, and performing community outreach. Additionally, the Committee will seek an overview of the NYC Family Justice Centers, and how they provide comprehensive services for survivors and their families in each borough. Lastly, the Committee will seek information on the Office’s partnerships and collaborative efforts with City agencies and community stakeholders to

https://www.huffingtonpost.com/entry/violence-against-women-act-expiring-september_us_5b6b0a4ae4b0de86f4a789db; See also U.S. Office of Management and Budget, *Fiscal Year 2019: Efficient, Effective, Accountable: An American Budget*, THE WHITE HOUSE (Feb. 2018), available at <https://www.whitehouse.gov/wp-content/uploads/2018/02/budget-fy2019.pdf>; See Jodi Kwarciany, *What's In the Proposed Fiscal Year 2019 Budget for Health Care?*, DC FISCAL POLICY INSTITUTE (Apr. 5, 2018), available at https://www.dcfpi.org/all/whats-in-the-proposed-fiscal-year-2019-budget-for-health-care/#_edn1; See Susan Spencer, *Why the Violence Against Women Act Is More Important Than Ever*, YAHOO! (June 20, 2017), available at <https://www.yahoo.com/news/why-violence-against-women-act-170146196.html>.

⁵⁷ Supra note 55.

⁵⁸ Supra note 55.

⁵⁹ Supra note 55.

ensure survivors of domestic and gender-based violence have access to comprehensive and inclusive services.

VI. INT. NO. 351

Int. No. 351 would require the Mayor's Office to Combat Domestic Violence (OCDV), in conjunction with the New York City Police Department (NYPD), to submit to the Mayor and Speaker of the City Council and post on OCDV's website a report detailing information about the City's new domestic violence initiatives. The report would be required to include data on housing attorneys placed in Family Justice Centers and the results of efforts of such attorneys to assist survivors with legal matters related to housing, such as removing perpetrators from leases, transferring leases from perpetrators to survivors, and terminating leases without penalty. The report must also include data on chronic domestic violence cases and chronic offenders, NYPD outreach efforts to survivors, and NYPD practices to identify and track chronic offenders. OCDV would be required to submit reports quarterly and annually.

Section two of Int. No. 351 would provide that the law would take effect immediately.

VII. PROPOSED INT. NO. 371-A

Proposed Int. No. 371-A would require the Mayor's Office to Combat Domestic Violence to offer trainings to cosmetologists to help them recognize potential signs of domestic violence in their clients and offer resources to survivors.

Section two of Proposed Int. No. 371-A would provide that the law would take effect 120 days after it becomes law.

VIII. INT. NO. 542

Int. No. 542 would require the Mayor's Office to Combat Domestic Violence (OCDV) to provide clients with service satisfaction surveys after they have received domestic violence services from OCDV. Completion of the survey by clients would not be mandatory and would be anonymous. OCDV would be required to submit to the City Council, on an annual basis, all service satisfaction surveys and data completed. The data would be disaggregated by borough and by victim status. Victim status would mean domestic violence, sexual abuse, elder abuse, human trafficking, or any other category OCDV would deem appropriate.

Section two of Int. No. 542 would provide that the law would take effect 90 days after it becomes law.

IX. INT. NO. 1085

Section one of Int. 1085 would require the Office of the Civil Justice Coordinator to establish programs to provide victims of domestic violence with full legal representation in divorce proceedings in civil supreme court. Full legal representation would include, among other things, the payment of all filing fees.

Section two of Int. 1085 would provide that the law would take effect immediately.

By Council Members Rosenthal, Brannan, Maisel, Ayala, Rivera, Cumbo and Chin

A LOCAL LAW

To amend the New York city charter, in relation to reporting on certain domestic violence initiatives

Be it enacted by the Council as follows:

1 Section 1. Section 19 of the New York city charter is amended by adding a new subdivision
2 e to read as follows:

3 e. Reporting on domestic violence initiatives. 1. Definitions. For the purposes of this
4 subdivision, the following terms have the following meanings:

5 Acts or threats of violence. The term “acts or threats of violence” includes acts that would
6 constitute violations of the penal law.

7 Chronic domestic violence case. The term “chronic domestic violence case” means crimes
8 determined by the police department to be related to domestic violence that involve a chronic
9 offender.

10 Chronic offender. The term “chronic offender” means a perpetrator who has been arrested
11 more than once for a crime determined by the police department to be related to domestic violence
12 or who has been identified in more than one domestic incident report prepared by the police
13 department.

14 Domestic violence. The term “domestic violence” means acts or threats of violence, not
15 including acts of self-defense, committed by a family or household member against another family
16 or household member.

1 Family justice center. The term “family justice center” means a program of the office to
2 combat domestic violence that provides criminal justice, civil legal and social services to victims
3 of domestic violence, elder abuse and sex trafficking.

4 Family or household member. The term “family or household member” means persons
5 related by blood or marriage, current or former spouses or domestic partners, persons who share a
6 child in common, persons who are cohabitating or have cohabitated, or persons who are or have
7 been in a continuing social relationship of a romantic or intimate nature.

8 Perpetrator. The term “perpetrator” means a person who has or who is alleged to have
9 committed domestic violence.

10 Police department. The term “police department” means the police department of the city.

11 2. Report required. Beginning April 1, 2018, and quarterly and annually thereafter, the
12 office to combat domestic violence, in conjunction with the police department, shall submit to the
13 mayor and speaker of the council and shall post on its website, no later than 30 days after the end
14 of each quarter and each calendar year, a report regarding certain domestic violence initiatives in
15 the city. Such report shall include:

16 (a) The number of attorneys placed in family justice centers to assist victims of domestic
17 violence with legal matters related to housing, disaggregated by total in all family justice centers
18 and each family justice center;

19 (b) The number of vacancies in family justice centers for attorneys who can assist victims
20 of domestic violence with legal matters related to housing, disaggregated by total in all family
21 justice centers and each family justice center;

22 (c) The results of the efforts of attorneys placed in family justice centers to assist victims
23 of domestic violence with legal matters related to housing, including removal of perpetrators from

1 rental agreements, transfer of rental agreements from perpetrators to victims of domestic violence,
2 and termination of rental agreements by victims of domestic violence without penalty;

3 (d) The total number of chronic domestic violence cases, disaggregated by precinct;

4 (e) The total number of chronic offenders, disaggregated by precinct;

5 (f) The scope of outreach efforts by the police department to victims of domestic violence

6 in cases where a perpetrator violates an order of protection issued by a court of competent

7 jurisdiction;

8 (g) The tools, practices and interventions used by the police department to identify and

9 track chronic offenders and the results of such tools, practices and interventions in assisting with

10 the apprehension of chronic offenders; and

11 (h) Any other interventions categorized by the office to combat domestic violence.

12 § 2. This local law takes effect immediately.

MHL / MMB
LS #9509; 9643/Int. 1496/2017
NEW LS # 21
11/28/17 12:19 p.m.

(Page intentionally left blank)

Proposed Int. No. 371-A

By Council Members Salamanca, Brennan and Rosenthal

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to trainings to help cosmetologists recognize signs of domestic violence in their clients

Be it enacted by the Council as follows:

1 Section 1. Title 3 of the administrative code of the city of New York is amended by adding
2 a new subchapter 7 to read as follows:

SUBCHAPTER 7

OFFICE TO COMBAT DOMESTIC VIOLENCE

5 § 3-170 Definitions. For the purposes of this section, the term “cosmetologist” has the same
6 meaning ascribed to the term in section 400(7) of the general business law.

7 § 3-171 Training for cosmetologists. The mayor's office to combat domestic violence shall
8 create, make available online, and periodically update training for cosmetologists on recognizing
9 signs of domestic violence in their clients and connecting potential victims of domestic violence
10 to city resources as needed.

11 § 2. This local law takes effect 120 days after it becomes law.

ZH / JJD / BM
LS 9923/Int. 1610-2017
LS 739
10/19/2018 6:00 p.m.

(Page intentionally left blank)

Int. No. 542

By Council Members Lancman, Rosenthal and Cumbo

A LOCAL LAW

To amend the New York city charter, in relation to requiring the office to combat domestic violence to provide clients with service satisfaction surveys

Be it enacted by the Council as follows:

1 Section 1. Section 19 of the New York city charter is amended by adding a new
2 subdivision g to read as follows:

3 g.1. For purposes of this subdivision, the following terms shall have the following
4 meanings:

5 (a) “Family justice centers” means the centers and any successor locations through which
6 the office to combat domestic violence or successor entity provides services to victims of
7 domestic violence.

8 (b) “Victim status” means domestic violence, sexual abuse, elder abuse, human
9 trafficking or any other category the office to combat domestic violence deems appropriate.

10 2. The office to combat domestic violence shall provide all individuals with service
11 satisfaction surveys after individuals receive domestic violence services from the family justice
12 centers. Completion of such surveys shall not be mandatory and shall be anonymous. Not later
13 than the first day of November of the year 2018 and annually thereafter, the office to combat
14 domestic violence shall submit to the council all data from service satisfaction surveys
15 completed from July 1 of the prior year to June 30 of the current year which shall be
16 disaggregated by borough and victim status

17 3. All agencies shall provide upon request from the office to combat domestic violence
18 all information needed for compliance with this subdivision. The office to combat domestic

1 violence shall also make best efforts to ensure that all other entities provide information as may
2 be necessary to carry out the provisions of this subdivision, in accordance with applicable laws,
3 rules and regulations.

4 §2. This local law shall take effect 90 days following its enactment into law.

ACK
LS#3165/Int. 660/2015
LS#163
11/30/2017 2:33pm

Int. No. 1085

By Council Members Treyger, Cumbo, Richards, Ampry-Samuel, Koslowitz, Holden, Adams and Ayala

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to providing legal services to victims of domestic violence in divorce proceedings

Be it enacted by the Council as follows:

1 Section 1. Title 10 of the administrative code of the city of New York is amended by adding
2 a new chapter 12 to read as follows:

CHAPTER 12

PROVISION OF LEGAL SERVICES TO VICTIMS OF DOMESTIC VIOLENCE IN DIVORCE PROCEEDINGS

§ 10-1201 Definitions.

§ 10-1202 Provision of legal services.

12 § 10-1201 Definitions. For the purposes of this chapter, the following terms have the
13 following meanings:

14 Coordinator. The term "coordinator" means the coordinator of the office of civil justice.

15 Designated organization. The term “designated organization” means a not-for-profit
16 organization or association that has the capacity to provide legal services and is designated by the
17 coordinator pursuant to this chapter.

18 Domestic violence victim. The term “domestic violence victim” means a person who is a
19 victim of domestic violence as defined in section 8-102.

20 Full legal representation. The term “full legal representation” means ongoing legal
21 representation provided by a designated organization and all legal advice, advocacy, and assistance
22 associated with such representation. Full legal representation includes, but is not limited to, the

1 filing of a notice of appearance, and the payment of all filing fees (including index numbers and
2 note of issues).

3 Supreme Court. The term “Supreme Court” means the civil term of the New York Supreme
4 Court in each of the five boroughs.

5 § 10-1202 Provision of legal services. Subject to appropriation, the coordinator shall
6 establish a program to provide access to full legal representation for domestic violence victims in
7 all divorce proceedings in Supreme Court related to the domestic violence.

8 § 2. This local law takes effect immediately.

MKW
LS 6955