

Prioritizing Financial Security for Survivors

A Plan to Disrupt Intimate Partner
Violence (IPV) in the U.S.

COVID-19 Has Exacerbated the Financial Devastation that Traps Survivors in IPV.

As reports of IPV worsened alongside increasingly strict shelter-in-place orders in March and April of 2020, many people began to pay a new level of attention to IPV in the U.S. Yet, there has been little, if any, real reckoning with the fact that **IPV is a systemic problem** which must be addressed as such through policy change, structural innovations, and economic justice.

1 in 4 / 1 in 2

**1 in 4 women¹ and nearly 1 in 2 trans people²
experience IPV in the U.S.**

#1

**obstacle to safety for survivors is financial
insecurity**

\$104,000

**is the average cost of IPV per female survivor
in the U.S.**

The most significant obstacle to safety for survivors is financial insecurity.³ The stark reality is that experiencing IPV is incredibly expensive. The CDC estimates that IPV costs a female survivor just under \$104,000 over the course of her lifetime.⁴ This means that most survivors cannot afford to actually recover from the harm they experience.



Making matters worse, 99% of survivors also experience economic abuse⁸, which occurs when a harm-doer controls a survivor's access to financial resources through tactics like stealing money or property from survivors, taking out loans in a survivor's name without their knowledge or permission, committing tax fraud, controlling financial information, monitoring survivor's online bank accounts, and/or preventing survivors from earning income. In fact, up to 60% of survivors lose their jobs as a result of abuse⁹, and only 21% of survivors report having access to a safe bank account.¹⁰

The high costs of experiencing IPV coupled with economic abuse financially devastates survivors, making safety and recovery next to impossible.



4x on average survivors are 4x more likely to have experienced material hardship (food and/or housing insecurity) in the past year compared to the average American adult¹²

While COVID-19 did not cause this problem, it has certainly made it worse.

Survivors report that COVID-19 has impacted them in the following ways:²⁰

- 1** Escalating violence
- 2** Fewer financial resources, making it harder to get or stay safe
- 3** Theft of stimulus checks and other COVID-19 related assistance
- 4** Slowed court proceedings keeping survivors in contact with harm-doers and delaying potential income like child support

Survivors report that their most urgent needs during COVID-19 are:²¹



20%
of survivors who reported not being able to access their stimulus payment were unable to do so because of economic abuse²²

\$730
Survivors report that, on average, they need \$730 right now to stay safe²³

Policy Recommendation 1: **Provide Survivors With Tailored COVID-19 Relief**

- Create enhanced fraud protections for survivor stimulus payments by:
 - Designating a Survivor Stimulus Protection Hotline
 - Allowing in-person payment pick-ups
 - Expanding options for receipt of stimulus payment to include PayPal, Venmo, and existing prepaid cards tied to government benefits
- Require all financial institutions and others authorized to cash checks to cash stimulus checks without fines or fees, including for non-customers
- Protect stimulus payments from private debtors, garnishments, and / or levies
- Create Survivor Safety Grants program, earmarking funds to be distributed to survivors via direct unrestricted cash grants
- Provide survivors with paid and protected leave to deal with the consequences of abuse

Policy Recommendation 2: **Address Economic Abuse in VAWA**

- Expand the definition of IPV to explicitly include economic abuse
- Divest funding from law enforcement response and reinvest in economic security programs for survivors, including those that:
 - Create jobs for survivors
 - Offer credit and debt relief
 - Provide tailored asset-building opportunities like savings / matching programs
- Require that all VAWA grants include enough funding to pay service providers a living wage
- Fund direct unrestricted cash assistance for survivors
- Remove tort restrictions on grants funding legal assistance for survivors

Policy Recommendation 3: Protect Survivors While They Bank

- Pass the Survivor Safe Banking Act (Modeled after the Senior Safe Act 12 USC 3423)
 - Requires financial institutions to:
 - Report suspected economic abuse to FinCen and OVW for data analysis and publication
 - Train their management and staff in how to prevent, detect, and respond to economic abuse
 - Designate an internal team to handle survivor accounts
 - Implement enhanced privacy and anti-fraud protections on survivor accounts
 - Allow survivors to open accounts with ID and permanent address alternatives
 - Provides financial institutions with immunity from civil and regulatory liability related to their compliance with the Act

Policy Recommendation 4: Provide Effective Relief for Coerced and Fraudulent Debt

- Amend the Fair Credit Reporting Act and Fair and Accurate Credit Transaction Act to better support survivors:
 - Expand the definition of “identity theft” to include IPV-related coerced and fraudulent debt
 - Remove police report requirements to access available relief
 - Require credit reporting agencies to be trained in economic abuse and develop written policies relating to IPV-related coerced and fraudulent debt
 - Create an Economic Abuse fraud alert
- Expand the Equal Credit Opportunity Act to prohibit discrimination by creditors on the basis of someone’s status as a survivor of IPV / economic abuse

Policy Recommendation 5: Create Paid and Protected Leave for Survivors

- Expand the Family Medical Leave Act to provide paid and protected leave for survivors:
 - Expand eligible grounds for leave under the Act to include IPV (explicitly including economic abuse)
 - Require covered employers to provide at least 10 days of paid and protected leave to deal with the consequences of abuse that do not deplete accrued sick or vacation days
 - Prohibit discrimination and retaliation against employees based on their status as a survivor or their use of the leave

Policy Recommendation 6: Compensate Survivors for the Harm They've Experienced

- Amend the Victims of Crime Act to better support survivors:
 - Implement the following eligibility requirements for state programs to receive federal funding:
 - Prohibit states from requiring applicants to report the crime to police / provide a police report or restraining order to apply
 - Prohibit states from requiring applicants to cooperate with law enforcement
 - Prohibit states from implementing a deadline to apply for compensation that is fewer than five years following the crime
 - Prohibit states from excluding applicants based on criminal record
 - Require states to form a task force or other exploratory / study effort on non-carceral responses to IPV
 - Expand covered costs to include coerced and fraudulent debt relief, attorneys' fees, property damage, and childcare
 - Earmark funds for direct cash assistance for survivor applicants

Policy Recommendation 7: Support and Protect Survivors Through the Tax Code

- Create a refundable Survivor Tax Credit
- Create a refundable Coerced and Fraudulent Debt Tax Credit
- Designate an Economic Abuse Specialized Unit (modeled after the Identity Protection Specialized Unit)
- Create a standardized Economic Abuse Affidavit Form (modeled after Form 14039, Identity Theft Affidavit)
- Create Economic Abuse Survivor Relief (expanded Innocent Spouse Relief)

Policy Recommendation 8: Increase Access to Justice Through the Courts

- Create sanctions against harm-doers who have committed litigation abuse including:
 - Payment of attorneys' fees plus punitive damages and costs
 - Case-related sanctions such as: dismissal with prejudice, denial of motions, and / or discovery sanctions
 - Allow unaddressed litigation abuse to be used as a grounds for appeal
- Create sanctions against attorneys that facilitate and / or participate in litigation abuse including:
 - Payment of attorneys' fees and punitive damages
 - Suspension of license or disbarment (egregious / repeated cases)
- Require that judges, attorneys, and court staff be trained in economic abuse, including litigation abuse
- Earmark funding for attorneys to provide pro bono legal representation to survivors in civil matters

Endnotes

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19. Id.
20. Id. at note v.
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About FreeFrom

FreeFrom is a national organization, based in Los Angeles, whose mission is to dismantle the nexus between intimate partner violence and financial insecurity. FreeFrom believes in the creativity, resourcefulness, and power that each survivor has to achieve financial independence and to build communities that support individual, intergenerational, and collective healing. We also believe that intimate partner violence is a systemic problem in our society which we are severely lacking the infrastructure to address.

FreeFrom's work is to create that infrastructure, by growing the capacity of the anti-violence movement, building tech resources for survivors, creating peer networks that foster survivors' collective power, changing existing laws and advocating for the passage of new and survivor-centered laws at the state and federal level, expanding the data and research that exists to support the field, and bringing in employers, banks, and other institutions as part of the ecosystem working to support survivor's financial security and safety.

FreeFrom is a team of survivors. We are a proudly queer, feminist, and people of color-led organization. Each of us brings unique experiences, insights, and drive to our work to end the cycle of violence.

To discuss any of these policy recommendations further, please contact Amy Durrence, amy.durrence@freefrom.org.

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