

# DELAWARE WOMEN

## AND DOMESTIC VIOLENCE



**WOMEN'S  
ADVANCEMENT  
& ADVOCACY**

March 2021



**DOMESTIC  
VIOLENCE**

**POVERTY**

**FINANCIAL  
ABUSE**

**ECONOMIC  
SECURITY**

Research shows that women living in poverty are at greater risk of experiencing domestic abuse from their partners.[1] Therefore, understanding the relationship between poverty and domestic violence is critical to:

- **Strengthening the most effective existing prevention and treatment programs and policies.**
- **Adopting new evidence-based approaches to ensure the health, safety, and financial stability of vulnerable women.**

## **DOMESTIC VIOLENCE IN DELAWARE**



In fiscal year 2020 (FY2020), **74%** of domestic violence victims in Delaware were women.[2]



**75%** of domestic violence-related deaths between 1996 and 2019 were women as evidenced in a review by the Delaware Fatal Incident Review Team (FIRT).[3]



**82%** of victims of domestic violence-related deaths did not have a Protection From Abuse Order (PFA) in place[4] (a PFA is a Family Court order to stop abusing another person, and may include other relief, such as ordering the abuser to stay away from the person being abused).



Delaware's "Family Court processed **2,947** PFA petitions statewide during FY2020. Of those petitions filed, **1,223** orders were issued, and **1,603** petitions were dismissed." [5]



In FY2020, the DVCC reported **11,337** criminal domestic violence incidents, **1,547** of which resulted in physical injury, and **3,249** calls were received by domestic violence hotlines across the state.[6]



**1,411** women and **336** children lived in domestic violence shelters across Delaware's three counties in FY2020.[7]

## POVERTY AND WOMEN IN DELAWARE

In Delaware 62,195 women live in poverty with a significant disparity between Non-Hispanic White women (9%) and minority groups, including Black women (20%) and Hispanic women (23%).<sup>[8]</sup> Factors that can make it more likely that one lives in poverty follow.



### Education

In Delaware, more than half of the women living in poverty (62%) have some high school education or a high school diploma; however, only 11% of women in poverty have a bachelor's degree or higher.<sup>[9]</sup> This lack of higher education affects both current earnings as well as the ability to increase wages over time.

### Single Motherhood

The risk of poverty is even greater for single mothers, which makes it more difficult to leave abusive partners. In Delaware, around 8% of families live in poverty.<sup>[10]</sup> Whereas for married couples with children that figure drops to 5%, it skyrockets to 32% for single mothers.<sup>[11]</sup> The difficulties in leaving an unsafe environment become even more complex when children are victims of domestic violence, either directly or as a witness to abuse, since children require both a safe space to grow and thrive, and a caregiver that can provide that support independently.

### Wage Gap

For victims of domestic violence, especially women of color, closing the wage gap is critical to gaining the financial independence to leave an abusive partner. In Delaware, the wage gap between men and women is significant regardless of education level attained or work performed. The median income for men who receive less than a high school diploma is \$30,155 compared to \$20,863 for women.<sup>[12]</sup> For those with a bachelor's degree in Delaware the median income for men is \$84,001 versus \$64,658 for women.<sup>[13]</sup>

### Race and Ethnicity

Race and ethnicity further compound factors that contribute to poverty among women.

**Education:** 34% of White women have a bachelor's degree or higher but only 25% of Black women and 18% of Hispanic women hold the same degree.<sup>[14]</sup> If education provides some insulation from poverty, women of color are less likely to have access to that protection.

**Single Motherhood:** 37% of Black single mothers and 46% of Hispanic single mothers live in poverty compared to 25% of White single mothers.<sup>[15]</sup>

**The Wage Gap:** Additionally, in Delaware the wage gap grows larger for women of color. Compared to every dollar earned by White men, White women earn \$0.84, Black women \$0.68 and Hispanic women just \$0.59.<sup>[16]</sup>

## **THE CONNECTION BETWEEN FINANCIAL INDEPENDENCE AND DOMESTIC VIOLENCE**

Poverty multiplies the impact of domestic violence on the victim. Research from the Bureau of Justice Statistics shows that while anyone, regardless of income, can become the victim of abuse in the home, “persons in poor households or below the Federal Poverty Line had more than double the rate of violent victimization as persons in high-income households.”[17] Poverty creates many risk factors that contribute to domestic violence and often limits options and resources, but the prevalence of financial abuse compounds it.

**Financial Instability and Financial Abuse:** When the abuser is the main source of income, and/or controls financial assets, it is difficult for the victim to leave without taking on additional financial hardship, including reduction in income, sporadic employment, a ruined credit score or even worse scenarios such as hunger and homelessness. Often times the abuser uses this too common financial situation to maintain power and control over the victim, which is referred to as financial abuse. [18] The victim then faces a terrible choice: stay and continue to be abused or run the risk of financial instability and greater poverty for themselves and their children. [19] That is why economic justice initiatives like increased workforce training and education opportunities, closing the wage gap, and more affordable childcare options, are key to creating safe and stable environments for Delaware women and families.

## **CURRENT DOMESTIC VIOLENCE SUPPORT PROGRAMS IN DELAWARE**

The state of Delaware currently has several organizations and initiatives that provide vital protections and tangible resources for victims of domestic abuse throughout the state.

### **The Delaware Coalition Against Domestic Violence (DCADV)**

is a statewide, nonprofit and coalition dedicated to promoting conditions that prevent and eliminate domestic violence by educating partners; providing informational resources; and advocating as a strong, unified voice for victims/survivors of domestic violence, children who are affected, domestic violence programs and victim service providers.[20]



Member programs Child, Inc., Community Legal Aid Society of DE, Delaware Center for Justice, People's Place, and the YWCA of DE offer a wide range of services to Delawareans, including 24-hour hotlines, confidential shelter and housing options, legal advocacy, safety planning, counseling, financial empowerment services, offender treatment, COVID related resources, and much more.[21]

### **The Domestic Violence Coordinating Council (DVCC)**

is a Delaware state agency with a mission to “improve Delaware’s response to domestic violence and sexual assault.”[22] The Coordinating Council brings together domestic violence service providers and policy level officials to identify and implement improvements in system response through legislation, education, and policy development.[23] The Council also conducts fatality reviews or system audits of State agencies and private organizations that had contact with the deceased victim and/or the perpetrator to assess the system’s response.[24] Findings and recommendations from such reviews help identify steps to prevent future deaths, including changes in organizations’ policies and procedures and dissemination of information for intervention, prevention, public policy development, and education. DVCC oversees the certification of batterer intervention treatment programs in the state. These programs include Child, Inc. in New Castle County, Peoples Place in Kent and Sussex, and the Dover Air Force Base.[25] DVCC also works with middle and high school Wellness Centers and school nurses statewide to provide teen dating violence awareness and prevention education.[26] Additionally, the DVCC collaborates extensively with community partners statewide by participating in public outreach events such as health fairs, faith-based workshops, and interactive resource tables.[27]

### **Additional Provisions**

There are also a number of domestic violence provisions throughout state agencies. The Address Confidentiality Program allows victims of domestic abuse and stalking to keep their residential address hidden from the internet and instead have a Department of Justice authorized substitute address published.[28] The Victim Services Unit within the Department of Corrections, informs victims and survivors of domestic violence of this process if they chose to pursue this route against an abuser.[29] In addition, Delaware has adopted a Domestic Violence Fund which is accumulated by allocating \$15 of the \$25 fee of a marriage license.[30] This fund is dedicated to enhancing statewide domestic violence services or partners that collaborate with agencies across Delaware’s three counties.[31]

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## CURRENT POVERTY SUPPORT PROGRAMS IN DELAWARE

The following federally funded programs, which are run by the State of Delaware, help low-income families and individuals afford basic living needs.

The [Temporary Assistance for Needy Families \(TANF\) program](#) provides a provisional monthly income to families who are seeking employment.[32] The goal of TANF is to support families until they are able to become economically self-sufficient.[33] [Supplemental Nutrition Assistance Program \(SNAP\)](#) allows low-income families to purchase groceries through federal funding.[34] SNAP participants are given an Electronic Benefits Transfer (EBT) card which can now be used online at participating ShopRite and Walmart stores as well as Amazon.[35]

In addition, the federal supplemental nutritional program for [Women, Infants, and Children \(WIC\)](#) is a “program that helps pregnant women, new mothers, and young children eat well, learn about nutrition, and stay healthy.”[36] WIC provides nutritious diet supplements, breastfeeding support, healthcare and welfare service referrals, and education on nutrition to low-income mothers and children.[37] Another federal aid service for low-income families and individuals is [Medicaid](#). [38] The Medicaid insurance program covers “doctor visits, hospital care, labs, prescription drugs, transportation, routine shots for children, mental health and substance abuse services.”[39] Those covered by Medicaid typically choose a family doctor who will provide care for all medical needs.[40]

In addition to federal programs, the [Stand By Me](#) project, a joint effort between the State of Delaware and the United Way of Delaware offers free financial services and advice to empower Delaware residents to reach financial stability – regardless of a person’s age, profession, or financial goals and needs. Participants can improve their credit scores, increase savings, become a homeowner, and more.[41] Tools like these that improve financial literacy and independence are crucial to ensuring that financial abuse does not keep women in an unsafe situation. [Child, Inc.](#), [People's Place](#), and the [YWCA of Delaware](#) also offer financial empowerment services including match savings programs, credit repair, financial literacy classes, and micro-loans through DelOne Credit Union.

## PROMISING PRACTICES

The following domestic violence prevention and response practices and programs are proving successful in surrounding states and can guide Delaware in its efforts to continue reducing domestic violence.



### A Uniform Organizational Assessment

New Jersey's Safety and Accountability Assessment framework is a statewide assessment[42] that professional and advocacy organizations use to improve their institution's ability to support any member of the organization that may be experiencing domestic violence.[43] The process examines whether or not an institution's policies and procedures "enhance the safety and well-being of victims of violence against women, as well as enforce perpetrator accountability." [44] Topics for evaluation include systematic barriers such as "unequal access to services, gender stereotypes, lack of coordination, and contradictory policies and practices." Based on the findings, recommendations and solutions are provided.[45]

### Protocols for Addressing Religious and Cultural Barriers

Project Stop Abusive Relationships at Home (Project S.A.R.A.H.), another New Jersey program, focuses on how to address cultural and religious barriers when seeking legal aid against an abuser.[46] Working closely with religious authorities allows Project S.A.R.A.H. to provide a therapeutic faith-based support and counseling service unique from any other victim advocate organization.[47]

### COVID-19 Domestic Violence Task Force

Although necessary to help stem the rise of COVID-19 cases, stay-at-home orders increase threats to domestic violence victims' safety. That's why in New York, secretary to the governor, Melissa Derosa and the New York State Council on Women and Girls have launched a task force dedicated to finding new solutions to the increasing trends of domestic violence incidents.[52] The task force has tracked the domestic abuse incidence spike and provided recommendations to the New York governor, Andrew Cuomo.[53] Governor Cuomo has accepted the recommendations of the task force which surround three main premises: "Mobile Advocacy, Flexible Funding, and Housing Choice." [54] New York State's ability to evaluate the domestic violence incident crisis and quickly implement solutions has been a remarkable effort by all participating agencies.

## **Abusive Partner Rehabilitation**

New York City has organizations dedicated to providing resources for domestic violence victims living in the metropolitan area. The Urban Resource Institute (URI) has been working to end the cycle of violence in communities across New York City for over 40 years.[55] In 2018 with funding and support from the Manhattan District Attorney's Criminal Justice Investment Initiative, URI launched the Abusive Partner Intervention Program (APIP).[56] Utilizing a trauma-informed approach, the APIP strives to rehabilitate domestic abusers and reduce "intimate partner violence recidivism." [57]

## **Safe Housing**

Another creative metropolitan initiative began when the New York City Mayor's Office partnered with HousingLink to provide an innovative, affordable housing program for victims of domestic violence.[58] In addition to providing safe, private, and permanent homes, this program offers stability through group orientations, individual counseling, referrals to legal aid, and child aftercare.[59]

## **State-level Earned Income Tax Credit (EITC)**

According to the Center on Budget and Policy Priorities, "The federal EITC is one of the nation's most effective tools for reducing the struggles of working families and children, particularly for unmarried women with children." [60] It improves the livelihood of low-wage workers, who struggle to meet basic financial needs,[61] resulting in greater financial security.[62] The EITC helps employees to afford child care, transportation, and other components that are needed for an individual to continue working.[63] Further research shows that an income boost like a refundable EITC has lasting effects on education attainment for children in low-income households due to the additional resources that families would not be able to afford otherwise.[64] Given the federal EITC's success, surrounding states like New York, New Jersey, and Maryland now offer a refundable state tax credit modeled on the federal EITC.[65] Some states have even chosen to expand their state EITC eligibility to include individuals that would not traditionally benefit from the program.[66] For example to help end financial abuse, Massachusetts has expanded eligibility for its refundable EITC to include "survivors of domestic abuse who are separated from a spouse." [67] A refundable state tax credit could benefit the 36,000 Delawarean women over the age of 25 in poverty,[68] the 9,300 impoverished single mothers,[69] and many more demographics of Delawareans.

## **Permanent Family and Medical Leave Program**

Many workers across the country and in Delaware are without access to any type of paid leave, particularly low-wage workers that are disproportionately women. As such, these workers face financial instability or even the loss of employment in order to attend to their own serious medical condition, the illness of a family member, or attend to their safety. By contrast, states that have laws guaranteeing paid family and medical leave have seen improved health outcomes, less reliance on public assistance, and an increase in labor force participation and for survivors of domestic violence, a level of much needed support and stability. There are currently eight states and Washington DC that offer state paid family and medical leave insurance laws, including New Jersey which has had its program for nearly two decades.[70] Many of these programs have several things in common, including a social insurance model whereby employers, employees, or both pay into a shared fund that administers the benefit.[71] Two states, Oregon and New Jersey, specifically include provisions for utilizing paid leave for reasons related to domestic violence circumstances, [72] which helps provide victims vital time to leave a dangerous situation, without the loss of much needed funds.



## STATE BY STATE COMPARISONS

A comparative review of Delaware's and surrounding states' legislation related to domestic violence can be found in the table on the following page. Massachusetts is also included in this review because of the state's innovative policies.

Domestic violence arrest policies can be categorized into three provisions: mandatory arrest, preferred arrest, or discretionary arrest.[73] The comparative review identifies which states obtain a mandatory arrest policy with a "yes" answer. Those without a mandatory arrest policy are identified as "no" along with the state's current domestic violence incident arrest provision listed accordingly.

Victim advocate confidentiality statutes are categorized into three levels of communication privileges: absolute privilege, absolute diluted privilege, and qualified privilege.[74] The National Center for Prosecution of Violence Against Women defines absolute privilege as protecting "virtually all communications between a victim and counselor" from being divulged in court.[75] Absolute diluted privilege limits the communications that can be revealed in court, and qualified privilege "allows the court to authorize disclosure if a court finds disclosure of the communication appropriate given the facts of the case." [76] The comparative review chart asks if states have absolute privilege. States with a different communications privilege provision are noted, and those without any communications privileges are listed as "none".

Several states have the option to provide a refundable Earned Income Tax Credit (EITC) and to expand the eligibility requirements for this tax credit. [77] The comparative review chart identifies which states offer a refundable EITC, as well as any extended eligibility towards survivors of domestic violence. The Center on Budget and Policy Priorities define the value of a refundable EITC as offering "working households the full value of the credit they earn even if it exceeds their income tax liability." [78]

In some states, employers are required to include a provision in their leave of absence policy to extend to domestic violence related issues. New Jersey is noted as offering paid leave for this issue, as well as Oregon which is not included in the chart.[79]

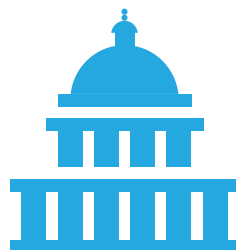
Firearm restrictions against people convicted of domestic violence misdemeanors vary. Some states require the relinquishment of guns and/or ammunition of those convicted with a domestic violence misdemeanor.[80] Fewer states require domestic violence offenses to be reported to the National Instant Criminal Background Check System (NICS).[81] States that obtain this provision outside of the provided chart are Illinois and Minnesota.[82] A person charged with a stalking misdemeanor may be prohibited from purchasing or possessing a firearm.[83] States that are not included in the comparative review chart but have a stalking misdemeanor firearm prohibition provision are California, Connecticut, Hawaii, Minnesota, New Mexico, North Dakota, Oregon, and Rhode Island.[84]

# STATE BY STATE COMPARISON CHART OF LAWS RELATED TO DOMESTIC VIOLENCE

## Legislation Delaware

## Surrounding States

	Delaware	Massachusetts	Maryland	New Jersey	New York	Pennsylvania	Virginia
Mandatory Arrest	No <hr/> Discretionary Arrest	No <hr/> Preferred Arrest	No <hr/> Discretionary Arrest	Yes	Yes	No <hr/> Discretionary Arrest	Yes
Absolute Communications Privilege	No <hr/> None	No <hr/> Diluted Privilege	No <hr/> None	Yes	Yes	Yes	No <hr/> Diluted Privilege
Refundable EITC	No	Yes	Yes	Yes	Yes	No	No
EITC Eligibility for DV Survivors	No	Yes	No	No	No	No	No
Employers Required to Allow a Leave of Absence due to Domestic Violence	No	Yes <hr/> Unpaid	No	Yes <hr/> Paid	No	No	No
Firearm Relinquishment for Domestic Violence Misdemeanors	No	Yes	Yes	Yes	Yes	Yes	N/A
Law Requiring Reporting of Domestic Violence Misdemeanors to the National Instant Criminal Background Check System (NICS)	No	Yes	No	No	Yes	No	N/A
Stalking Misdemeanor Firearm Prohibition	No	No	No	No	Yes	Yes	No



# DELAWARE WOMEN

## and Domestic Violence



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## RESOURCES

### 24-HOUR Domestic Violence HOTLINES

**New Castle County: 302-762-6110**

**Kent & Sussex Counties: 302-422-8058**

**Abriendo Puertas: 302-745-9874**

### YWCA Sexual Assault Response Center (SARC)

**800-773-8570**

**New Castle and Sussex Counties**

### ContactLifeline Crisis Helpline

**800-262-9800**

**Crisis HelpLine statewide; Rape Crisis Services  
for Kent County**

### Delaware Child Abuse Hotline

**800-292-9582**

### Domestic Violence Advocacy Program

**New Castle County 302-255-0420**

**Kent County 302-672-1075**

**Sussex County 302-856-5843**

### Delaware Coalition Against Domestic Violence

**[www.dcadv.org](http://www.dcadv.org)**

### Domestic Violence Coordinating Council

**[www.dvcc.delaware.gov/](http://www.dvcc.delaware.gov/)**

**302-255-1700**

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