

Gender-Based Violence and Safety

We must take this moment as an opportunity to restructure New York's approach to gender-based violence to ensure the safety of all women.

The reality of gender-based violence in the United States cannot be untangled from the racist and sexist actions upon which this country was founded — including the subjugation of women and children, genocide of Indigenous peoples, and enslavement of Black people. This shameful history perpetuates the sexual violence, anti-Black violence, anti-immigrant violence, race-based violence, and violence against LGBTQ+ people that we see today. This violence is rooted in oppression, privilege, and power. Until systemic oppression, including racism, sexism, heterosexism, cissexism, ableism, xenophobia, and economic injustice, is dismantled, violence will continue to exist.

From joblessness to food and healthcare shortages to the loss of educational structures, the COVID-19 pandemic created enormous disruptions and instability in our communities. These conditions exacerbate violence and have resulted in increased rates of domestic violence, sexual assault, trafficking, cyber bullying, and harassment. It is absolutely imperative that we end the hidden pandemic of gender-based violence.

To do so, New York must take this opportunity to restructure its approach to gender-based violence, reaching for preventive policy solutions and avoiding measures that entrench the carceral state and reflect the very injustices that create violence, such as policing, prosecution, or imprisonment. The traditional criminal legal system often fails to offer healing or justice for survivors, especially Black women, Latinas, immigrant women, and other women of color, nor does it prevent violence or offer adequate paths to accountability for people who have done harm. In addition, the criminal law system is used to criminalize survivors of sex trafficking, domestic violence, and sexual assault. To ensure the safety of all survivors we need to reconstruct the criminal law and policing systems' response to gender-based violence. While we envision and build new systems of accountability that are truly just, the work of preventing violence against women and providing redress for its victims remains more critical now than ever. We must continue to require justice system professionals and existing institutions that address gender-based violence to center the needs and rights of victims, and insist that they be held accountable when they fail to do so.

RECOMMENDATIONS

+ **Make resources for survivors accessible and inclusive.** It is essential to ensure availability of comprehensive, effective methods that increase the safety and self-determination of BIPOC survivors and are grounded in the cultural, political, lingual, and economic realities of their communities. This includes educating faith institutions and family programs on how they can be safe resources for survivors and children.

+ **Adopt a new justice framework.** In this moment there is a real opportunity to support restorative justice practices and processes that strive to offer survivor autonomy, healing and accountability for survivors of violence.

+ **Include and uplift impacted individuals and community-based organizations, especially survivors and survivor-led organizations, in re-envisioning solutions to gender-based violence.**

+ **Prioritize gender-based violence in safety decisions.** As law enforcement agencies are re-envisioned and overhauled, reforms must address the role police and community safety programs play in the response to gender-based violence.

+ **Strengthen gun regulations to ensure the safety of all intimate partners.** Domestic violence and gun violence are inextricably linked. New York must take the lead by fully implementing and enforcing its laws, while also supporting federal laws that strengthen gun regulations. This includes enforcing red flag laws and closing the “boyfriend loophole.”

+ **Enact K-12 Comprehensive Sexuality Education.** Schools must provide students with a firm foundation of knowledge about topics such as consent, healthy sexuality, healthy relationships and bodily autonomy. Mandating state-wide, comprehensive sexuality education for K-12 students, that is culturally affirming, LGBTQ+ inclusive, age appropriate and medically accurate, can lead to a reduction in all forms of violence, including gender-based.

Social and protective services must be inclusive, open to all women, men, children, elders, people with disabilities, gender expansive people, immigrants and people of color. Programs that work to prevent gender-based violence must receive the increased funding they need to be effective, including school-based educational programs. These programs must be in and known to all communities and readily accessible to survivors. All programs that respond to gender-based violence must be trauma-informed and culturally relevant to the community served.