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Legislative Roundup

Editor's Note: A number of states have enacted new legislation for domestic violence survivors that is effective in 2025. Below, new laws are summarized from California, New York, Ohio, New Jersey, and Massachusetts. Some of these laws expand the definitional scope of domestic violence laws, protect victims from technology-assisted abuse (including remote-vehicle technology), improve enforcement of restraining orders, expand workplace protections for victims, raise penalties for offenders, and update laws to include coercive control and revenge pron. These laws significantly enhance protection for survivors and improve accountability of abusers.

New California Laws Support Victims

California's Governor Gavin Newsom signed eight bills into law to help protect victims of domestic abuse and violence, including by creating a new victims' services fund maintained by penalties from white-collar crimes and expanding the ability of victims to access restraining orders.

Governor Gavin Newsom announced [on September 27, 2024] that he signed a bipartisan package of bills into law to protect crime victims, including victims of domestic abuse. The new laws will help build on California's protections for victims and survivors of domestic abuse, creating additional resources and access to safeguard victims from abusers.

"I am proud to sign these laws to help victims escape their abusers and provide them with financial tools and security to rebuild their

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Effects of Natural Disasters on Intimate Partner Violence

By D. Kelly Weisberg

The recent wildfires in Los Angeles evoke memories of other natural disasters, including earthquakes, tornados, hurricanes, tsunamis, and floods. During the LA wildfires, hurricane-force winds sent sky-high flames ripping through neighborhoods that were filled with multi-million-dollar homes and leveling much of the community of Pacific Palisades. Simultaneously, other fires (i.e., the Eaton Fire, Hurst Fire, Kennedy Fire, Sunset Fire) affected the nearby communities of Pasadena, Sylmar and Altadena, striking rich and middle-class people alike. Almost 200,000 residents were evacuated from their homes, 25 people were confirmed dead, 24 more were missing, and 12,000 structures were destroyed. The total cost of the southern California wildfires is estimated at between \$250 billion to \$275 billion.¹

Natural disasters are "catastrophic events triggered by naturally occurring hazardous phenomena, with geophysical, meteorological, hydrological, climatological, biological, or extraterrestrial origins."² These events result in severe

adverse consequences, including loss of life and injury, loss of property, loss of pets, environmental damage, and long-term social and economic costs to communities. Climate change is expected to increase the frequency, intensity, and duration of natural disasters.

But natural disasters have other costs as well. A growing body of research highlights the important relationship between intimate partner violence (IPV) and natural disasters. Research has documented an increase in the prevalence and severity of violence against women in the aftermath of these events. Natural disasters magnify the stress for families in turmoil, thereby creating the "perfect storm" for increased domestic violence.³ For some victims, they experience violence for the first time; for others, they experience an escalation in the violence.⁴ The prevalence of domestic

a systematic review of the quantitative evidence. *Trauma Violence Abuse*. 25(4):3131-3148. Doi: 10.1177/15248380241249145

³ Jennifer M. First, First, N.L., Houst, J.B., (2017). Intimate partner violence and disasters: a framework for empowering women experiencing violence in disaster settings, *J. Women & Soc. Work*. 32(3): 390-403, Doi: 10.1177/0886109917706338, p. 390, 391.

⁴ Boddy J., Harris, C., (Jan. 2021). Domestic violence soars after natural disasters—prevention needs to be part of the emergency response. *phys.org*, <https://phys.org/news/2021-01-domestic-violence-soars-natural-disastersprevention.html>

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violence in these locales remains elevated even years after the disaster.⁵

Gender-Based Effects

Natural disasters affect people differently in diverse locations worldwide. These differential consequences between individuals, groups, communities, and countries are a function of the victims' distinctive level of vulnerability. This perspective, known as "disaster vulnerability theory," explains that a person's vulnerability, resulting from unsafe physical and social conditions, is correlated with a higher probability of disturbance from a disaster, greater severity of the experience, as well as their poorer post-disaster response.⁶

In addition, certain social characteristics increase vulnerability to adverse outcomes after disasters. Although both women and men suffer negative health consequences following a natural disaster, the effects of natural disasters disproportionately impact women.⁷ The factor of gender increases vulnerability across all ages and cultures. "Females experience more severe consequences from disasters than males, across a range of health and social outcomes, with a growing number of studies documenting increases in women's harmful experiences of interpersonal violence, sexual violence, and IPV following disaster events."⁸ The most severe challenges are for survivors who live at the intersection of "oppressed identities, such as survivors who are sexual and gender minorities, low-income, ethnically diverse, or those people with disabilities."⁹

⁵ Id.

⁶ Boddy et al, *Intersections*, supra note 2.

⁷ Thurston, A.M., Stöckl, H., Ranganathan, M., (May 2021). Natural hazards, disasters and violence against women and girls: a global mixed-methods systematic review. *BMJ Glob Health*. 6(4):e004377. Doi: 10.1136/bmjgh-2020-004377; UN Report (July 2002). Gender and Health in Disasters, <https://iris.who.int/bitstream/handle/10665/68886/a85575.pdf;sequence=1>

⁸ Boddy et al, *Intersections*, supra note 2.

⁹ APA Committee on Women & Psychology, (Oct. 2020). Intimate Partner Violence & Natural Disasters, <https://www.apa.org/topics/covid-19/partner-violence-disasters>

Spike in Reports

Until recently, scholarship exploring the connection between natural disasters and domestic violence was largely anecdotal. Such evidence suggested that the rate of reports of domestic violence spikes in the months following natural disasters. For example, in 2018 after the Camp Fire in northern California stopped, shelter workers noted that their phones started ringing off the hook, with more people needing shelter than could be accommodated, and survivors requesting restraining orders at higher-than-normal rates.¹⁰

After Hurricane Katrina in 2005 in the Gulf Coast states, researchers noted a four-fold increase in intimate partner violence, and a 98 per cent increase in physical victimization of women.¹¹ The same pattern occurs in other countries. For example, New Zealand police reported a 53 per cent increase in calls of domestic violence incidents after the Canterbury earthquake in 2010. After the 2004 Whakataane flood in New Zealand, there was a tripling of workload for domestic violence agencies and a doubling of reports to police.¹² The World Health Organization made the global connection 20 years ago. According to a WHO report, "Anecdotal evidence and a small number of systematic studies indicate that intimate partner violence, child abuse, and sexual violence are highly prevalent after disasters," adding that elder abuse, youth violence, and crime will also increase with natural disasters.¹³

Systematic Review of Data

Systematic comprehensive research has recently been conducted, substantiating and adding new information to the anecdotal evidence. A study published in 2018 that reviewed reports of assault in Florida between 1999 and 2007 found that during the state's

¹⁰ Zoledziowski, A., (2020). Expect domestic violence to skyrocket after the California fires end, vice media news, Tipping Point.

¹¹ Parkinson D., Zara, C. (Jan. 2013). The hidden disaster: Domestic violence in the aftermath of natural disaster. *Australian J. Emergency Management*, 27-35.

¹² Id. at 28.

¹³ Zoledziowski, supra note 10 (citing WHO report).

post-hurricane period in 2004, several counties reported an increase of about 78 assaults per year compared to their annual average.¹⁴ Another study found that spousal abuse calls increased by more than 50 percent in Miami after a Category 5 hurricane battered southern Florida.¹⁵

Climate scientists at Griffin University in Australia conducted the most comprehensive recent research. They reviewed and analyzed quantitative evidence from the scientific literature on the association between IPV with natural disasters. Their review of the literature was based on 27 scholarly articles from a diverse range of countries, dating from 1990 to March 2023. The sample articles measured IPV from a variety of sources, including shelter workers, a community violence intervention center that facilitated protection orders, and police reports, among others.¹⁶

The review of the literature found an association between IPV and disasters, across disaster types and countries. The study supported the hypothesis that exposure to natural disasters exacerbates the prevalence of IPV – physical violence, emotional and psychological IPV, and sexual IPV.

Effects for Survivors

What are the various explanations for the increase in domestic violence in the wake of natural disasters? The Australian review of the scientific literature (above) identifies the following factors that increase women's risk of domestic violence after cataclysmic natural events: loss of housing, displacement into temporary housing, partner alcohol consumption, and the lack of community or social support and accessibility to resources post disaster.¹⁷

To combat the emotional stress stemming from being a victim of a natural disaster, intimate partners may resort to alcohol abuse as a coping strategy. Natural disasters can leave vast numbers of people homeless. Homelessness is another consequence

¹⁴ Id.

¹⁵ Id.

¹⁶ Boddy al., *Intersections*, supra note 2.

¹⁷ Id.

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of natural disasters and also is a known factor that is correlated with domestic violence. Housing shortages may mean that some victims are forced to return to their abusers because they have nowhere else to go. Sometimes, in disaster situations, women have to rely on abusive partners to keep themselves and their children housed and relatively safe.¹⁸

Other scholars report additional risk factors for survivors suffering from the effects of natural disasters, such as unemployment, trauma, grief and loss;¹⁹ financial instability, and disrupted social service delivery systems and support systems (family, friends) that normally offer emotional and financial assistance to IPV victims.²⁰

Psychological factors also play a role. One author pointed to the loss of power and control that is experienced by abusers, nothing that “when instability caused by extreme weather events—displacement, isolation, food insecurity, financial security, even health insecurity—makes people feel out of control, it can lead to not only more violence, but violence that is more severe.”²¹

Furthermore, the occurrence of domestic violence may make it more difficult for survivors to access aid. Abusers may prevent survivors’ access to financial resources or to a vehicle, for example.²²

One study concludes by noting that it is not clear whether natural disasters are a contributing risk factor, in and of themselves, to IPV or an event that triggers and heightens previous risk factors predisposing women to IPV. The authors emphasize that “[w]hether causal or correlational, the association between natural

disasters and IPV still requires action from policymakers, service providers, and communities.”²³

Conclusion: What Can Be Done?

What action from policymakers, service providers and communities would be beneficial to survivors in the midst and aftermath of natural disasters? This is a critical problem given that natural disasters will persist as well as increase in intensity and frequency.

Several of the researchers whose work has been cited here contend that domestic violence has not been recognized as a serious problem in emergency management and that emergency management needs to focus on domestic violence in all stages of emergency preparedness and response. Services for survivors should be integrated into all forms of disaster-related assistance.

Researchers suggest the following specific reforms:

- Response and prevention strategies must include the involvement of domestic violence services and women
- Accurate domestic violence statistics must be recorded by responders to disaster, such as health and community services and police
- Emergency responders and providers personnel should have training in domestic violence identification and referral for all human services involved in their disaster response²⁴
- Survivors should be identified as a special-risk population for disaster relief services²⁵
- Awareness of the needs of survivors should be incorporated in the establishment of coordination systems between disaster management, law enforcement and health authorities to prevent violence against women and treat the health consequences²⁶

Special disaster awareness should be paid to improving IPV services and

service infrastructure. Far too often women experiencing IPV in the aftermath of a disaster receive little help from social service providers who may be overwhelmed by the increased demands and reduced capacity as a result of the disaster. During disasters, IPV service infrastructure may experience disrupted communication networks and referral services, and damaged or destroyed buildings. Emergency personnel in law enforcement, criminal justice, and health services may experience many of the same challenges that impede IPV services, reporting, counseling, protection, and referral.²⁷ Responders and providers also should be aware that they may have to provide services separated by gender—therefore increasing the possibility of safe spaces for female survivors.

In addition, survivors need targeted mental health services in the wake of natural disasters. Evidence suggests that women who experience domestic violence have much higher rates of mental health consequences in the post-disaster period.²⁸ In the aftermath of the disaster, women who have experienced IPV are more likely to report perceived stress, psychological distress, depression, somatic complaints, and post-traumatic stress disorder (PTSD) symptoms.

Mental health support would help provide protective factors for survivors affected by disasters. Special attention should also be paid to the provision of services to survivors who are sexual and gender minorities, low-income, ethnically diverse, or those with disabilities. In addition, shelter staff and emergency personnel need to hire people who can speak other languages and can relate to those with diverse experiences. These practical suggestions have the potential to mitigate further risk of IPV and lead to further protective factors for survivors following natural disasters.

¹⁸ Parkinson & Zara, *supra* note 11, at 28.

¹⁹ Boddy & Harris, *supra* note 4.

²⁰ First et al., *supra* note 3.

²¹ Zoledziowski (citing social service worker). See also FEMA, Nov. 15, 2023, Support is Available for Wildfire Survivors Facing Domestic Violence, DR-4724-HI NR-035, <https://www.fema.gov/press-release/20231117/support-available-wildfire-survivors-facing-domestic-violence>

²² Parkinson & Zara, *supra* note 11, at 31.

²³ Boddy et al., *Intersections*, *supra* note 2.

²⁴ Parkinson & Zara, *supra* note 11, at 32-33.

²⁵ World Health Organization (WHO) (July 2002). *Gender & Health, Gender and Health in Disasters*.

²⁶ Thurston et al., *supra* note 7.

²⁷ Boddy et al., *Intersections*, *supra* note 2.

²⁸ First et al., *supra* note 3, pp. 392-393.

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