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Pandemic Weakens Legal Protections for Victims of Domestic Abuse in the U.S.

Iain Guest from The Advocacy Project wrote this article from home in Newport, Rhode Island.

The COVID-19 pandemic is making it harder to provide legal protection for victims of domestic abuse in the state of Rhode Island even as cases of abuse have surged.

A recent press release from the [Rhode Island Coalition Against Domestic Violence \(RICADV\)](#) reported that the number of restraining orders issued against abusers during April fell by 46 percent over the same period in 2019.

At the same time, the release noted a 40 percent increase in calls to help lines operated by the coalition's five member agencies in April. Some 599 callers requested emergency shelter.

Agencies had been bracing for a surge of domestic abuse as couples and families were subjected to the strains of shelter in place and barred from seeking support through friends, day care or school.

"We were watching and hearing the reports. We knew this was coming," said Jessica Walsh, Executive Director of the [Women's Resource Center \(WRC\)](#), a RICADV member agency that covers nine cities and towns in the Newport area.

Anticipating the surge, the agencies stepped up their ability to respond remotely through help lines. Many appeals had been coming in by email, said Ms. Walsh.

Restraining orders offer a legal remedy to victims wishing to separate from abusive partners. Agencies and law enforcement officials suggested that the decline has exposed the challenge of providing legal protection at a time when two of the state's four district courts are closed, and the physical movement of victims and abusers is sharply curtailed.

Ms. Walsh said her team at the WRC will help a caller to apply for a restraining order, but that the plaintiff must then appear in person before a judge in another courthouse which is handling Newport cases during the lock down. In normal times the journey takes about an hour.

But it was never going to be easy for a victim to leave an abusive partner whose suspicions may be aroused, and spend an entire day seeking an order said Ms. Walsh. "It's an intimidating process even when it's not a pandemic. COVID-19 has added additional layers of barriers," she said.

There is, in addition, the fear that a judge would not issue an order, which might leave a victim open to reprisals when he or she returns home. If a restraining or no-contact order is issued, it is not clear where the suspect will go without violating stay at home requirements.

All of these factors will be weighed by a fearful victim trying to decide whether to seek legal protection, said agency officials.

The same concerns were echoed by Lieutenant April Amaral, the community police liaison officer at the Newport Police Department, who said that the Newport police had responded to 16 cases involving domestic abuse between April 1 and May 27. This was down from 21 interventions during the same period last year.

Ms. Amaral said the police are obliged to make an arrest if they find a probable cause of abuse. The perpetrator is then held in custody until a justice of the peace or judge can issue a no-contact order and set a date for a hearing, which can take several weeks. In the meantime, the suspect must stay away from the victim.

"Where would they (suspects) go? I don't know," said Amaral. "It is hard to say how many cases have not been acted on. It might be from a fear of

reprisal or insecurity about money if the abuser is earning and the victim is not working."

The RICADV press release also expressed concern at the availability of emergency shelter and temporary housing for victims. Ms. Walsh said that the state government had provided funds for emergency shelter and that this had doubled the number of available beds. But the press release described this as a "temporary solution to a long-term problem."

"We must invest in long-term solutions that support survivors and their children to find and maintain a healthy and safe home, including rental subsidies, emergency rent and mortgage assistance," said the release.

Ms. Walsh declined to predict whether a loosening of the lock down will lead to more complaints or restraining orders when the Newport court reopens on September 8. The important thing, she said, is that victims know that services will be available in the meantime.

"We want them to know that we're here for them," she said.

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