

New Jersey Law Journal

Analysis

Domestic Violence in NJ During Pandemic: What Happened and How Can We Do Better?

A multitude of factors combined during the pandemic to create a perfect breeding ground for an increase in domestic violence.

By **Bari Z. Weinberger and Daniel Pollack** | October 29, 2020 at 10:00 AM



In April 2020, the [New York Times](#) reported that domestic abuse was on the rise, spurred on by restrictions imposed to try to control the COVID-19 pandemic. The problem was not just in the United States, but worldwide, prompting the United Nations to call for urgent action. A common pattern was emerging in many countries where lockdowns were imposed abruptly,

without first considering protections for victims of domestic abuse. About 10 days after a lockdown began, calls to domestic violence hotlines tended to spike.

In the Times article, Marianne Hester, a sociologist studying abusive relationships at Bristol University in England, cited research showing that domestic violence goes up whenever families spend more time together, such as during Christmas and summer vacations. It therefore logically followed that families locking down together would lead to the same result. Judith Lewis Herman, a renowned trauma expert at Harvard University Medical School, discussed specific ways abusers try to control their partners and children. She observed that while many people associate domestic violence with physical violence, more universal [characteristics of abuse](#) include forced isolation from family and friends, surveillance, dictating acceptable behavior, and restricting access to necessities like food and clothing. Confinement to home during the pandemic created conditions that facilitated such behaviors. Surveillance and control are easier in close quarters. For many, isolation became the norm, with access to support networks cut off or reduced.

In fact, a multitude of factors combined during the pandemic to create a perfect breeding ground for an increase in domestic violence. Not only were families forced to spend every moment together, they were doing it against a backdrop of elevated health concerns, job loss, school closings, and an uncertain economic future. Evidence of the impact of this overwhelming stress on the public was everywhere. On April 1, [Newsweek](#) reported a sharp spike in alcohol sales coinciding with early lockdowns. On July 13, [Brookings](#) reported that nearly three million more firearms had been sold since March than would ordinarily have been the case during those months, with half of the sales occurring in June alone. The rise was attributed to a growing concern about personal safety. The [combination of alcohol and guns](#) is well-established to be deadly both in general and [in the specific context of domestic violence](#).

Given all these factors, **it's** important for the New Jersey legal community to understand what happened to domestic violence within our own borders during lockdown.

Did domestic violence spike in New Jersey during lockdown?

Statistics regarding the course of domestic violence in New Jersey during the relevant months are somewhat contradictory. But this may be due to underreporting rather than the pandemic somehow lowering the incidence of domestic violence. Governor Murphy issued stay at home orders on March 21, 2020. About two months later, [on May 18](#), New Jersey State Police Superintendent, Colonel Patrick Callahan, reported that all crimes except murder by shooting were down across the state since the beginning of the coronavirus outbreak. Arrests had dropped by 65 percent and shootings by 19 percent. Callahan also reported that domestic violence calls were down. As the latter was not an expected development, he expressed concern about possible underreporting.

Callahan's concern may have been shared by the governor, who in a [March 31 tweet](#), had reached out directly to domestic violence victims, stating that “If you're experiencing domestic violence, or live in reasonable fear of it, please know that you're allowed to leave your home under our **‘Stay at Home’ order.**” The **governor's** tweet included information on the state domestic abuse hotline and other resources. On April 15, Mary Houtsma, Executive Director of the Essex County Family Justice Center (ECFJC) reported to [TapintoNewark](#) that domestic violence calls to the Center were indeed down. After conferring with other local and national organizations, she concluded that one reason for this was that victims isolated at home with abusers lacked a safe place to make calls for help.

There is evidence that the drop in domestic violence calls did not accurately reflect actual conditions. We looked at data tracking arrests from the Newark Police Department between March and July of 2018 and compared this with data for March through July of 2020. This data shows that domestic violence arrests were lower in early March of 2020 than in early March of 2018 but

began to increase in late March of 2020 and remained elevated compared to 2018 through July of 2020. According to [TapintoNewark](#), the Newark Department of Public Safety reported 188 domestic violence incidents in the city from March 21 through April 7, an 18% increase over the same period in 2019.

Data produced by the New Jersey Superior Court pursuant to a FOIA request breaks down statewide applications for temporary restraining orders (TROs) between April 12, 2020 and September 12, 2020. This information indicates that there was a temporary drop in average weekly TROs after March 15, 2020. The drop was apparently attributable to a precipitous decline in requests submitted by court staff. The weekly average for total TROs prior to March 15th was 595, including 268 by police and 327 by court staff. By mid-April, applications submitted by police had risen to a weekly average of 389 while those submitted by court staff had fallen to a weekly average of just 4. Requests submitted by police continued to rise fairly steadily, to a high of 689 for the week ending July 25th. From late July to mid-September, total TRO requests remained sharply elevated as compared to pre-March levels, but requests submitted by police began to drop while those submitted by court staff began to rise.

Taken as a whole, the data appears to support an inference that any drop in domestic violence reporting early in the lockdown was less likely to be due to a drop in actual domestic violence than to other factors, such as the inability to make calls noted by Houtsma, along with a real or perceived lack of access to resources. Courts, like other businesses and public agencies, closed abruptly due to the lockdown. This fact appears to have had a significant effect on TRO applications. While the police, who remained on duty as essential workers throughout the crisis, picked up some of the slack, domestic violence victims who were either not comfortable calling the police or were unable to do so safely may well have felt that there was nowhere to turn. The idea of seeking refuge with friends and family or at a domestic violence shelter, a difficult decision under the best of circumstances, was undoubtedly for most now fraught with the horrifying possibility that they might become infected with a dangerous virus, or that they might infect their friends and family or their own children. As noted by [Keesha Eure, Project](#)

[Manager at the Shani Baraka Women's Resource Center in Newark](#), a holdup in unemployment and welfare benefits early in the lockdown presented an additional financial hurdle to relocation. Governor **Murphy's** tweet provided reassurance that domestic violence victims were not barred from leaving their homes, but the question remained, where would they go?

It is also possible that an actual increase in incidents of domestic violence lagged behind imposition of the lockdowns. The temporary drop and subsequent surge in TROs support this possibility. A lagging increase would be a logical result of stressors such as job loss and sustained separation from outside sources of support increasing over time and continuing for months. The fact that gun purchases were still rising rapidly in June of 2020 demonstrates a continued erosion in feelings of safety over time as the pandemic wore on. Similarly, domestic violence victims may have endured **months** of gradually intensifying abuse due to lockdown before finally seeking protective measures.

How was the crisis addressed, and how can we do a better job of helping victims?

The COVID-19 pandemic descended on New Jersey with a vengeance. A rapidly exploding case count complicated preparation for everyone, not just for particularly vulnerable populations like domestic violence victims. While stay at home orders were never intended to apply to people who would be endangered by such restrictions, alternatives were slow to be implemented. By April, however, domestic violence shelters and government agencies were beginning to respond.

Improving communication was one of the first issues addressed. The tweet issued by Governor Murphy provided a good example of how to directly message a confined community. Both ECFJC and the Shani Baraka Center focused on strategies to assist communication by victims isolated at home. They set up an encrypted text messaging system and called for wellness checks by community members.

Increasing access to hotel rooms for survivors was an idea that eased the risk of contagion in overcrowded domestic violence shelters while also helping hotels with a dramatic downturn in business. On April 24, 2020, Governor Murphy and Police Superintendent Callahan announced an [administrative order](#) preventing municipalities and counties from imposing COVID-19 related restrictions on hotels, motels, guest houses, or private residences housing individuals lacking permanent housing, including domestic violence victims, and extending protection from eviction to such individuals. On July 7, the New Jersey Department of Children and Families (DCF) issued [guidance to providers of domestic violence residential services](#) requiring programs operating under contract with DCF to “**use** hotels or motels for overflow when their emergency safe houses are full or when a hotel better meets the needs of the survivor (accessibility, **safety**).”

The deeper issue, of course, is how to prevent domestic violence from occurring at all, and when it does occur, how to interrupt the process earlier, before victims are severely harmed. In the meantime, however, this pandemic is not over. The time to reach out and ensure that people have options is now. Shelters need financial support to expand housing options, and victims need financial support to be able to relocate. Additional direct messaging to victims could focus on the availability of alternative housing and the fact that there is always access to protective orders through the police department whenever courts are closed. Attorneys can also play a part by publicizing the issue and providing information on websites and in blogs.

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