

THE RISE IN FAMILY VIOLENCE DURING THE COVID-19 ERA[†]

Ann Ciancia^{††}

TABLE OF CONTENTS

INTRODUCTION	51
I. THE SCOPE OF FAMILY VIOLENCE	53
II. FAMILY VIOLENCE IN THE WAKE OF COVID-19	54
A. <i>Intimate Partner Violence and Domestic Violence</i>	55
B. <i>Child Abuse and the Decline in Online Education</i>	56
C. <i>Elder Abuse and their Caregivers</i>	57
D. <i>The Aftermath of Surviving Violence</i>	57
III. RESPONSE TO FAMILY VIOLENCE DURING THE PANDEMIC & MOVING FORWARD	58
CONCLUSION.....	60

INTRODUCTION

The COVID-19 pandemic has significantly impacted billions of lives around the world. The impacts of this virus have led to stay-at-home orders, a switch to online schooling, and social and economic downfalls. Due to quarantine and stay-at-home orders, there has been a rise in the realm of family violence, including intimate partner violence, domestic violence, child abuse, and elder abuse. According to National Domestic Violence Hotline in the United States, “abusers are attempting to isolate victims from resources and unleashing more violence by enforcing COVID-19 social distancing measures.”¹ Since the beginning of the

[†] This is an honorable mention essay for an interprofessional writing competition held by the *Syracuse Law Review*. To accommodate various professional fields, the citations are a blend of APA and Bluebook style formats. Sources and details have not been independently verified by *Syracuse Law Review* and *Syracuse Law Review* did not complete a peer review of the study or of the conclusions drawn by the authors.

^{††} Judicial Law Clerk, Superior Court of New Jersey: Family Division. J.D., 2021, Syracuse University College of Law; M.B.A, 2021, B.A., 2018, B.S., 2018, Utica College. I dedicate this piece to survivors of family violence, more specifically neglected and abused children, who will grow up to be fierce leaders that will change the world. I would like to thank my family, friends, and mentors for their tremendous support throughout my academic journey.

1. Xue, J., Chen, J., Chen, C., Hu, R., & Zhu, T. (2020). The Hidden Pandemic of Family Violence During COVID-19: Unsupervised Learning of Tweets. *Journal of Medical Internet Research*, 22(11), 2. <https://www.jmir.org/2020/11/e24361/pdf>.

pandemic, in the United States, there has been a 10.2% increase in domestic violence calls.²

Under mandated health precautions, many families have isolated themselves to stay safe from the virus but are left in danger at home with their abuser(s). “The pandemic creates a paradox as regards staying safe at home and it is one to which we should all pay attention.”³ Some abusers have thrown their ill partners out on the streets; other contagious abusers have threatened to give their partner COVID-19. For some individuals, being isolated at home during the pandemic is more dangerous than a crowded supermarket.

Due to the spread of COVID-19, many families are forced to quarantine and spend more time within their homes. This leads to less outside interaction for the children. The COVID-19 pandemic has caused child abuse and neglect to be overlooked. With in-person classes being moved to online classrooms, it is easy for an abused and neglected child to hide behind his or her computer screen. A misconstrued smile by a child could be forced due to an abuser looking on while in the zoom classroom. A child can simply hide their bruises by turning off their video camera. A child who may have been mistreated at home could escape their unsafe environment by attending school in-person, is now unable to get a steady education due to a poor learning environment at home. Teachers, physicians, and other friends will have less contact with an abused child. A teacher can typically provide support for a child in an in-person learning environment, but COVID-19 has created a difficult barrier with an online learning environment. Teachers are “often the first to recognize and report suspected child maltreatment.”⁴

It has been difficult for victims of family violence to get the proper help they need. If a victim of abuse or neglect wants to schedule an online visit with a physician, talk to a domestic violence hotline, or talk with his or her teacher; their abuser could be watching or listening to their conversation in the next room. It is difficult to handle confidential conversations when abusers and victims are isolated within the same household. Staying home is not always safe when violence occurs behind closed doors.

2. *Id.*

3. The Pandemic Paradox: The consequences of COVID-19 on domestic violence. (2020) *Journal of Clinical Nursing*, 1(3), 2. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7262164/pdf/JOCN-9999-na.pdf>.

4. Kang, K. & Jain, N. (2020). Child abuse and neglect in the COVID-19 era: A primer for front-line physicians in British Columbia. *BC Medical Journal*, 62(7), 238. <https://bcmj.org/articles/child-abuse-and-neglect-covid-19-era-primer-front-line-physicians-british-columbia>.

This essay will investigate the challenges that arise and the barriers that victims of family violence face during COVID-19. The pandemic has created many obstacles for victims to achieve safety. This essay will examine victims of domestic violence and child abuse and the response to family violence during the pandemic. It is difficult for victims to achieve justice and safety during isolation, but safety measures can be implemented to support and aid a victim.

I. THE SCOPE OF FAMILY VIOLENCE

Different types of sexual violence can be considered family violence, intimate partner violence, domestic violence, child abuse, and elder abuse. If there is no consent between both parties, then a form of sexual violence has occurred. Sexual violence does not just affect women, it affects everyone. It is important to understand the different forms of sexual violence in order to understand the nature of the abuse and to help aid the victim.⁵

Intimate partner violence occurs when two individuals are in an intimate relationship together, where some may consider this to be domestic violence. One in four women and one in ten men experience intimate partner violence with various forms of physical, emotional, sexual, or psychological abuse.⁶ More than forty-three million women and thirty-eight million men have experienced a form of psychological aggression by an intimate partner in their lifetime.⁷ “The terms ‘intimate partner sexual abuse’ and ‘intimate partner sexual assault’ encompasses a continuum of behaviors from verbal degradation relating to sexuality to felony-level sexual assault and torture.”⁸

Domestic violence is when an abuser uses his or her power to control their partner in a relationship and “arises from a batterer’s desire to control and dominate his (usually) female partner because he feels entitled to do so, not because he is suddenly angry.”⁹ The abuser instills

5. Davis, M. (2015). *Lawyer’s Manual on Domestic Violence: Representing the Victim*.

6. Evans, M., Lindauer, M., & Farrell, M. (2020). A Pandemic within a Pandemic – Intimate Partner Violence during COVID-19. *The New England Journal of Medicine*, 2302. <https://www.nejm.org/doi/pdf/10.1056/NEJMp2024046?articleTools=true>

7. Intimate Partner Violence and Child Abuse Considerations During COVID-19 <https://www.samhsa.gov/sites/default/files/social-distancing-domestic-violence.pdf>

8. Davis, M. (2015). *Lawyer’s Manual on Domestic Violence: Representing the Victim*.

9. D. KELLY WEISBERG & SUSAN FRELICH APPLETON, MOD. FAM. L.: CASES & MATERIALS 312 (Wolters Kluwer, 6th ed. 2016).

fear in their partner through power, control, and other forms of abuse.¹⁰ Domestic violence is a cyclical pattern of abusive behaviors.

Child abuse is the leading cause of death in children.¹¹ Neglecting and mistreating children can have a negative long-term effect on a child's health, and physical and mental development. The CDC reports that "at least one in seven children have experienced child abuse and/or neglect in the past year and in 2018, nearly 1,770 children died of abuse and neglect in the United States. Rates of child abuse and neglect are five times higher for children in families with low socio-economic status compared to children in families with higher socio-economic status."¹²

About one in ten older adults, above the age of sixty, experience elder abuse annually.¹³ Elder abuse includes forms of physical, sexual, and psychological abuse, neglect, and financial exploitation. Many cases of elder abuse go undetected, where only one in twenty-four cases are reported.

II. FAMILY VIOLENCE IN THE WAKE OF COVID-19

There has been a rise in family violence due to mandated quarantines and stay-at-home orders. "The reported surge in domestic violence including child abuse is alarming and may be associated with family financial constraints, increased burden on parents due to school closures, parent's stress and difficulty dealing with children's irritability during isolation, disruption of social support networks and reduction of child protective services."¹⁴ For many families, their home became a safe-haven during quarantine, but for others, it was the center for violence being isolated with their abuser(s). The difficulty for victims to feel safe in a dangerous environment. "Isolation limits social contact with families and social services, and thus may facilitate family violence and prevent victims from seeking help."¹⁵ Isolation can keep the abuse hidden from others and it can be less visible to family members and teachers. Victims

10. Ravneet Kaur and Suneela Garg, *Addressing Domestic Violence Against Women: An Unfinished Agenda*, 33 INDIAN J. OF CMTY. MED. 73 (2008), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2784629/>.

11. Kang, K. & Jain, N., *supra note 4*, at 7.

12. U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2020). Child Maltreatment 2018. Available from <https://www.acf.hhs.gov/cb/research-data-technology/statistics-research/childmaltreatment>.

13. Elder Abuse in the Time of COVID-19—Increased Risks for Older Adults and Their Caregivers <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7234937/pdf/main.pdf>.

14. Decrease in child abuse notifications during COVID-19 outbreak: A reason for worry or celebration? – p. 1980

15. Xue et al., *supra note 1*.

2021]

The Rise in Family Violence

55

of family violence have become vulnerable members of the community during the COVID-19 pandemic.

A. Intimate Partner Violence & Domestic Violence

Internationally, there has been an increase in domestic violence and other forms of family violence. Countries in quarantine that have seen a severe increase in intimate partner violence and child abuse are the United States, China, Brazil, and Australia.¹⁶ Mandated stay-at-home orders that were intended to protect the public from widespread infection, left many victims of intimate partner violence at home with their abusers. Unemployment and job insecurity have exasperated financial hardships. For abusive partners, financial hardships have led to an increase in violence.

Although public health restrictions have helped slow the spread of COVID-19, these restrictions have made it difficult for victims to seek safe housing at shelters, hotels, or other family members' homes. "Though some restrictions have been lifted, many shelters remain closed or are operating at reduced capacity, which creates challenges for people who need alternative housing arrangements."¹⁷ In Italy, the government took advantage of their empty hotels to offer shelters for individuals fleeing from abusive situations.¹⁸ With safety protocols in place, safe havens for victims have diminished.

Some individuals have been physically harmed by their partner but did not want to go to the hospital out of fear of catching the virus at the hospital. One immunocompromised man from Pennsylvania called into a domestic violence hotline after his emotionally abusive girlfriend hid cleaning supplies and hand sanitizer from him.¹⁹ Some abusers have used COVID-19 as a coercive threat to control their partners. The abusive partner can control the victim to not leave their house so he or she will not contract COVID-19, or the contagious partner can threaten the victim with COVID-19. Some abusers have thrown their ill partners out on the streets.

16. Family violence and COVID-19: Increased vulnerability and reduced options for support, 549.

17. Evans, M., Lindauer, M., & Farrell, M. (2020). A Pandemic within a Pandemic – Intimate Partner Violence during COVID-19. *The New England Journal of Medicine*, 2303. <https://www.nejm.org/doi/pdf/10.1056/NEJMp2024046?articleTools=true>

18. Family violence and COVID-19: Increased vulnerability and reduced options for support – p. 549

19. Fielding, S. (2020, April 3). *In quarantine with an abuser: surge in domestic violence reports linked to coronavirus*. *The Guardian*. <https://www.theguardian.com/us-news/2020/apr/03/coronavirus-quarantine-abuse-domestic-violence>.

B. Child Abuse & the Decline in Online Education

During a disaster or public health emergency, children are often recognized as a vulnerable population.²⁰ “Historically, one serious consequence of pandemics has been an increased risk of child maltreatment, including physical abuse, sexual abuse, emotional abuse, neglect, and exposure to family violence.”²¹ Since COVID-19 has caused stress for many parents, a parent may negatively respond to a child’s behavior through abuse or aggression. “For perpetrators, parenting stress, financial stress, mental illness, increased substance use, social isolation, and negative interactions with children—all of which may be present and potentially exacerbated during this pandemic—are associated with an increased risk of child abuse and neglect.”²² Children are at an increased risk of abuse and professionals need to recognize abuse behind a computer screen.

About two-thirds of child abuse reports are made by professionals who have immediate contact with children.²³ “Mandated reporters, such as teachers, childcare providers, and clinicians, also have fewer interactions with children and families and fewer opportunities to assess, recognize, and report signs of abuse than they did before the pandemic.”²⁴ The role of teachers, law enforcement, clinicians, and physicians are extremely important to recognize child abuse and neglect. Moving to an online education platform has made it extremely difficult for professionals to identify neglect and other forms of violence children are at risk for. Other reports of child abuse are made by friends or other relatives. Many children have not socialized with their friends due to the pandemic and this has a negative impact on a child who is facing abuse. A parent can exclude other relatives from visiting their home due to health risks, which can be detrimental for a neglected child.

The pandemic will affect a child’s social life as well. Many children have not visited their friends in months due to school closings and online education. Some families may allow socially distanced playdates, but a family who is abusing their child will refuse to let the child leave their home. “Children will lose out on peer social interaction and many will lose the benefits associated with the structure provided within the

20. Kang, K. & Jain, N., *supra* note 4, at 7.

21. Peterman A, Potts A, O’Donnell M, et al. Pandemics and violence against women and children. Washington, DC: Center for Global Development; 2020. Accessed 5 February 2021. www.cgdev.org/

22. Kang, K. & Jain, N., *supra* note 4, at 7.

23. *Id.*

24. Evans, M., Lindauer, M., & Farrell, M. (2020). A Pandemic within a Pandemic – Intimate Partner Violence during COVID-19. *The New England Journal of Medicine*, 2303. <https://www.nejm.org/doi/pdf/10.1056/NEJMp2024046?articleTools=true>

2021]

The Rise in Family Violence

57

classroom and the school day.”²⁵ There may be cognitive repercussions for young children who are not allowed to socialize with other classmates and friends.

UNICEF reported that “school closures increased child (sexual) abuse and neglect during the Ebola epidemic.”²⁶ Although child abuse data has not been fully reported during this pandemic, it will likely mirror the Ebola epidemic. At this time, it is difficult to fully determine how detrimental this pandemic will be to a neglected child’s education. Many children have had difficulty switching to online education, but this difficulty increases when a child is abused or neglected. It is difficult for a child to reach out for help if their abuser is watching their every move while they are taking online classes.

C. Elder Abuse & their Caregivers

Older adults are at the highest risk of death from COVID-19, but they are also “vulnerable to social isolation, financial hardship, difficulties accessing needed care and supplies, and anxiety about avoiding COVID-19.”²⁷ Caregivers have experienced increased demands due to the pandemic, which can lead to neglecting the elderly. The risk factor of social isolation is at an all-time high for older adults due to stay-at-home orders and mandated health precautions. In-person contact has been limited for older adults to reduce the risk of contracting COVID-19.

It is burdensome for the elderly population to socialize because the majority are not connected virtually. With an increase in Zoom and other video conferencing platforms, many younger individuals have utilized these platforms to stay connected and for telehealth visits. With a lesser understanding of technology, some older adults are forced to visit a doctor in person when he or she is ill. This visit can increase their chances of contracting COVID-19.

D. The Aftermath of Surviving Violence

Individuals that have been abused can face mental health trauma. Victims of violence can have anxiety, depression, Post-traumatic Stress Disorder (PTSD), and other forms of mental health issues as a result of their abuser. Each victim deals with PTSD differently and their responses fall into four different categories, “(1) intrusive thoughts of the traumatic event(s), (2) avoidance of these thoughts, (3) negative altercations in

25. Child Protection in the time of COVID, 838.

26. Xue et al., *supra* note 1.

27. Elder Abuse in the Time of COVID-19—Increased Risks for Older Adults and Their Caregivers, 876. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7234937/pdf/main.pdf>.

cognition and mood, and (4) physiological hyperarousal.”²⁸ A victim who has experienced traumatic events can minimize the situation and undermine their trauma.

Younger individuals who experience child abuse not only can face mental health trauma but may experience a reduction in their education. A child exposed to violence has an increased risk of “injury, future violence victimization and perpetration, substance abuse, sexually transmitted infections, delayed brain development, lower educational attainment, and limited employment opportunities.”²⁹ Some children are not able to focus during their online education due to domestic disputes at home or being a victim of child abuse or neglect. While data is not readily available to determine the negative effects the pandemic has on victims of child abuse, it will be likely that their education may be deficient compared to classmates who are not involved in family violence.

III. RESPONSE TO FAMILY VIOLENCE DURING THE PANDEMIC & MOVING FORWARD

It is inequitable for victims of family violence to continue to suffer in silence during this pandemic. “The pandemic has highlighted how much work needs to be done to ensure that people who experience abuse can continue to obtain access to support, refuge, and medical care when another public health disaster hits.”³⁰ As a society, we must put forward guidance and safe practices to help victims. First, internet providers can help provide low cost or free internet to marginalized communities. Marginalized communities have been hit hard with the pandemic and have witnessed an increase in family violence. Free internet services can help victims reach out online for help. Internet is also a necessity for families who have children that have switched to online learning.

28. Davis, M. (2015). *Lawyer’s Manual on Domestic Violence: Representing the Victim*.

29. Fortson B, Klevens J, Merrick M, Gilbert L, Alexander S. (2016). Preventing Child Abuse and Neglect: A Technical Package for Policy, Norm, and Programmatic Activities. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

30. Evans, M., Lindauer, M., & Farrell, M. (2020). A Pandemic within a Pandemic – Intimate Partner Violence during COVID-19. *The New England Journal of Medicine*, 2303. <https://www.nejm.org/doi/pdf/10.1056/NEJMp2024046?articleTools=true>

2021]

The Rise in Family Violence

59

Families should not have to worry about financial implications of internet services.

Second, there needs to be easier access to telehealth services during the pandemic. Virtual appointments with physicians and clinicians have increased due to safety measures. Healthcare providers can screen for intimate partner violence and discuss safety measures during a virtual visit.³¹ Although clinicians will not be able to see a victim in person, a clinician has significant sexual violence training and can read facial expressions and other social nonverbal cues of a victim. A child may be supervised by an abusive parent, and it is important for a physician to make sure the child feels safe and if they can provide any other service.

There needs to be a focus on virtual hotlines that emphasize a chat or texting component. Many victims are not able to safely pick up a phone and call a domestic violence hotline or child protective services for help. Some victims are monitored by their abuser and their conversation could be overheard. Texting or using a web chat function can aid a victim in getting the help he or she needs. Some courts have moved to online restraining orders or orders of protection and if a victim can chat with a hotline that can help them fill out and receive this order, it can be very beneficial. Online proceedings may make a victim feel at ease by not being physically in the same court room as their abuser.

Safety practices are of the utmost importance during a pandemic. These safety practices are in addition to wearing a mask and social distancing. "Safety practices, such as deleting Internet browsing history or text messages; saving hotline information under other listings, such as a grocery store or pharmacy listing; and creating a new, confidential email account for receiving information about resources or communicating with clinicians."³² Code words can become important for professionals to use with victims. A victim may use a certain phrase that triggers a professional to understand that there is abuse going on at home. Every school teacher should have a phrase for students to utilize to notify the teacher that he or she is a victim of child abuse or neglect, or is in an unsafe situation. From there, the teacher can contact child protective services or law enforcement. Physicians and clinicians must use safe practices to ensure that their patients are in a safe meeting space or if they need further help. Some grocery stores have utilized a code word practice to ensure their customers get the help they needed to escape an abusive home setting.

31. *Id.*

32. *Id.*

CONCLUSION

The different forms of family violence have become increasingly prevalent during the COVID-19 pandemic. Many individuals have suffered in silence and in isolation. Out of fear, victims have not been able to contact law enforcement or seek out help due to being in isolation with their abusers. As quarantines and stay-at-home orders begin to lift and society begins to live out a safe new version of life, we must continue to take action to protect victims of family violence. Teachers, physicians, clinicians, and policymakers have a key role of addressing the community. These members will need to help ensure safety practices are mandated within schools, doctor offices, and hospitals. As a society, we must provide support for those who experience abuse and help victims escape the violence of their abuser.