

OVS Outreach

Summer 2019

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From the Director's Desk



Every June is marked as Pride Month, chosen to commemorate the Stonewall Riots that occurred in New York City's Greenwich Village in June 1969. The riots – a response to police enforcement of laws that

prohibited gays and lesbians from congregating in public places – catalyzed a movement to fight discrimination and violence against the gay community. Organizers started the Pride Parade to speak out and raise awareness and this year, New York City is hosting World Pride for the first time.

This wonderful celebration of progress, however, doesn't erase the fact that throughout history, LGBTQI+ individuals have routinely faced discrimination, violence, non-acceptance, persecution and harassment, despite rich contributions across the ages. Homosexuality was – and still is, in many countries – outlawed, forcing individuals into secrecy, shame and repression, for fear of violent punishment, even death.



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OVS Announces YouTube Compensation Training Series

This spring, OVS announced a [new series of training videos](#) designed for advocates and other professionals who assist individuals and their families with obtaining services, support and financial assistance in the aftermath of a crime. To date, the videos have been viewed more than 3,200 times, with [OVS History](#) watched most frequently.



The 11 videos outline specific compensation options and offer general instructions on the information needed for each claim type.

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From the Director's Desk *(continued)*

Indeed, it was not until 2003 that the U.S. Supreme Court, in the landmark decision *Lawrence v. Texas*, forced states to de-criminalize consensual sexual contact between adults.

As the gay rights movement has taken several steps forward, it faced significant backlash. It has been three years since the horrific Pulse Nightclub shooting in Florida, committed by a hate-filled gunman who killed 49 people and injured more than 50 others. Fortunately, service providers and the state compensation program were there to assist.

Many strides have been made, especially here in New York State. We lead on this issue, recognizing gay rights and providing support for LGBTQI+ individuals in myriad ways: decriminalizing homosexuality in 1980, enacting the Marriage Equality Act in 2011, protecting individuals from discrimination and not forcing transgender people to undergo sexual reassignment surgery to change their gender or sex on official documents, allowing same-sex couples to adopt, banning conversion therapy, making violence based on gender a hate crime, and expanding OVS compensation coverage to those who are victims of hate crimes but not physically injured. New York and OVS will not waiver in its advocacy for the LGBTQI+ community.

We are so grateful that there are many victim advocacy programs and service providers across New York State that can assist LGBTQI+ victims. The work each of you do – and the support and resources you provide – can make such a tremendous difference to those who believe they have nowhere to turn in their time of need.

Sincerely,



Elizabeth Cronin, Esq.



Hate Crimes at a Glance

In 2017, LGBTQI+ individuals were victims in 14 percent of all hate crime incidents (79 of 558) reported to police in New York State.

The most frequently reported bias motivations for hate crimes against individuals in 2017 were anti-black (22.6%), anti-gay male (20.4%), and anti-Jewish (14%).

Across the country in 2017, anti-LGBTQI+ Hate Crimes rose 3 percent, comprising 16 percent of hate crimes reported, while this community only comprises 4.5 percent of the U.S. population (Gallup). Of these hate crimes, 60 percent targeted gay men.

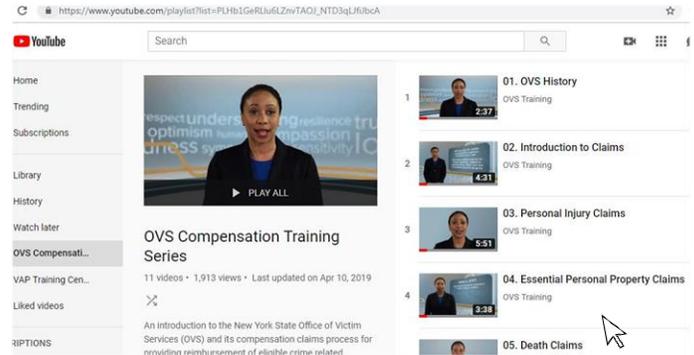
In 2018, at least 26 people were murdered for being transgender. This number, however, may be higher because the police may initially misidentify the gender of victims of these crimes, which delays the reporting of the incident as a hate crime.

Source: New York State Division of Criminal Justice Services, the FBI and "Violence Against the Transgender Community in 2018," published by the Human Rights Campaign. ■

New YouTube Compensation Training Series *(continued)*

The videos also explain how OVS can help eligible victims with crime-related expenses, such as medical, counseling and burial costs, as well as moving and storage bills and loss of earnings or support.

With running time between two and six minutes, the videos are a great training tool for new advocates and provide a quick refresher for seasoned advocates who may be filing a claim type they have not done in a while. Save the [OVS Training YouTube channel](#) to your favorites to access the videos whenever you need them.



The *OVS Compensation Training Series* is one of many training videos available on the [OVS Training YouTube Channel](#).

Over the past three years, the Office of Victim Services has significantly expanded training, technical assistance and professional development opportunities it provides to victim assistance programs, with the goal of building the capacity of those programs so they can better serve crime victims and their families. Since 2016, the agency has trained nearly 3,000 professionals through more than 30 regional, in-person and online trainings on topics ranging from compensation and reimbursement to the psychological toll of trauma, its impact on victims and the professionals who assist them. ■

Small Steps to Help

VAPs report that more LGBTQI+ victims are seeking assistance. To help programs better understand the specific needs of these individuals and provide appropriate care and support, we offer the following suggestions to help service providers be more inclusive.

- Allow clients to self-identify their gender by using forms that have a single blank space for that information, instead of standard check boxes that would require them to choose M or F. In addition, include a question about preferred pronouns, either on forms or during client intake to better accommodate transgender and non-binary clients.
- Take care not to use assumptive language during intake procedures and in client materials. Use specific, gender-neutral terms when gathering information from a client to better accommodate victims and not put them on the defensive. Terms that are most useful for questions about a partner include spouse, significant other and partner. If a client uses a more specific word, follow their lead and use that word instead.
- Provide gender-inclusive spaces. If there is already an all-gender restroom on-site, make it available to all visitors, if possible. Many single stall restrooms can be made into all-gender restrooms with a change of signage.



[The New York City Anti-Violence Project](#) and Albany-based [In Our Own Voices](#) – both funded by OVS – also provide trainings and resources to help improve your services to the LGBTQI+ community.

Finally, program staff are encouraged to attend local crime victim coalition meetings, as they cover many special topics, including LGBTQI+ issues. Check out [the OVS calendar](#) for more information. ■

New Executive Law Updates

The 2018 and 2019 legislation session resulted in significant changes – championed by Governor Andrew M. Cuomo and OVS – that will improve access to benefits for crime victims and their families. New York State enacted two new laws that expand reimbursable, crime-related expenses for certain victims and improve the way OVS considers awards for death claims.

State law now allows victims who have not sustained physical injury in connection with hate crimes and those offenses most often associated with domestic violence, to apply for assistance from the agency for a variety of crime-related expenses, such as counseling, loss of earnings, the repair or replacement of essential personal property, and moving expenses. In addition, crime scene clean-up and shelter costs are now included as eligible expenses for claims filed with OVS on or after February 18, 2019.

These changes are the result of OVS recognizing that there are many scenarios where a non-injured victim of a hate crime could benefit from reimbursement for crime scene clean-up expenses and similarly, non-injured victims of domestic violence could benefit from the reimbursement of shelter costs.

In announcing this expansion of benefits, Governor Cuomo said, “. . .this law reaffirms the State's commitment to helping these individuals and their family members whose top priority should be healing, not navigating the financial burden of an act of crime against them."

OVS also proposed amendments to existing law – now effective – that change the criteria under which the agency considers payment for death claims. Previously, OVS could make emergency awards (EAs) of up to \$2,500 for death claims prior to a full investigation and under certain circumstances. This dollar figure was less than half of the maximum award for burial expenses, which are capped at \$6,000. Because of OVS' previous statutory requirements, emergency awards of \$2,500 or burial expenses of \$6,000 could be reduced or denied in their entirety based on the victim's contributing conduct. While existing law didn't affect the agency's decisions, OVS recognized that it could put family members or loved ones at risk of being denied reimbursement for burial expenses because of the actions of the deceased. It also put the agency in the difficult position of recouping money from claimants who had received an EA for which they were later deemed ineligible.

This newly enacted law increases the emergency award amount to \$3,000 and caps the reduction for contributing conduct to no more than 50 percent. This change greatly reduces the chance that claimants would be required to refund an emergency award or other compensation for burial, meaning they would not be denied full reimbursement based on the victim's contributing conduct. The Legislature approved these changes and the Governor signed them into law in late 2018. **These changes are effective for claims filed with OVS on or after June 26, 2019.** ■

OVS Staff Participate in the 2019 CDPHP Workforce Team Challenge



OVS staff participated in the [2019 CDPHP Workforce Team Challenge](#) on Thursday, May 16. With thousands of runners and walkers from hundreds of organizations, the 3½ mile race is the largest annual road race in the Capital Region. Be sure to mark your calendars as next year's race will be Thursday, May 21, 2020. ■

Human Rights Campaign names Governor Cuomo's Counsel as its New President

Alphonso B. David, an accomplished and nationally-recognized LGBTQ civil rights lawyer and advocate who currently serves as Counsel to Governor Cuomo, has been named President of the [Human Rights Campaign](#). When he joins the organization in August, David will be the first civil rights lawyer and the first person of color to serve as its president.

Before serving as Governor Cuomo's counsel, David was the first Deputy Secretary and Counsel for Civil Rights in New York. In these roles, he played an integral role in securing marriage equality in New York in 2011, banning the abusive practice of so-called "conversion therapy" on minors, establishing non-discrimination protections for transgender New Yorkers, expanding Medicaid coverage to cover transition-related care, making it easier to amend gender markers on birth certificates, and enacting policies and regulations to support people living with HIV and drive new diagnoses to an all-time low statewide.

Check out [this link](#) to learn more about David and the Human Rights Campaign, the largest civil rights organization working to achieve equality for lesbian, gay, bisexual, transgender and queer Americans. ■

OVS 2019 Conference Registration Details Coming Soon

Details regarding registration for the OVS 2019 Conference will be released in the coming weeks. To ensure you receive registration announcements, as well as additional conference updates, subscribe to the [OVS Training Listserv](#). This year's conference is shaping up to be amazing! You won't want to miss out on your chance to attend. ■



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