

## MEMORANDUM OF SUPPORT

### Forfeiture of a Beneficiary's Rights Upon Conviction of Domestic Violence Offense

A.5629 Reyes/S.5131 Webb

The New York State Coalition Against Domestic Violence (NYSCADV) urges the New York State Legislature to pass legislation that will allow a retired member of New York State & Local Retirement System (NYSLRS) to change their election or select a new beneficiary if their current beneficiary is convicted of a domestic violence-related offense where the retired public employee was the complainant.

Domestic violence victims experience many forms of abuse, including economic abuse. According to the National Network to End Domestic Violence, financial abuse occurs in 99% of domestic violence cases. Financial abuse involves maintaining control over a partner's financial resources. Often perpetrators will withhold access to money, sabotage credit or drain their partners' accounts. Survivors deserve full control of their benefits and should not have to provide them to someone who has caused them harm.

Domestic violence is a pattern of coercive behavior that someone uses to maintain power and control over their intimate partner. Survivors of domestic violence are often struggling to re-gain control over many parts of their life, including economic decisions. NYS must allow them to have control over elections and whom their beneficiaries are for their retirement programs. We cannot allow economic abuse to continue in retirement.

We urge the NYS Legislature to pass A.5629/S.5131 so that domestic violence survivors have full control of their pension benefits and are not forced to watch the person who harmed them collect their benefits.

#### **ABOUT NYSCADV:**

Established in 1978, NYSCADV is designated by the U.S. Department of Health and Human Services as the information clearinghouse, primary point of contact, and resource center on domestic violence for the State of New York. NYSCADV is responsible for supporting the development of policies, protocol, and procedures to enhance domestic violence intervention and prevention and also provides education and technical assistance to the network of primary-purpose domestic violence service providers statewide.

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1 Browne, A. 1998. "Responding to the Needs of Low Income and Homeless Women Who are Survivors of Family Violence." *Journal of American Medical Women's Association*. 53(2): 57-64.

2. National Network to End Domestic Violence (2023). 17<sup>th</sup> Annual Domestic Violence Counts Report. Washington, DC. Retrieved from: [NNEDV.org/DVCounts](http://NNEDV.org/DVCounts).