



Metropolitan Organization to Counter Sexual Assault

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Testimony from MOCSA's President & CEO Julie Donelon, MSW

IN SUPPORT OF SENATE BILL 150: Enacting housing protections for victims of domestic violence, sexual assault, human trafficking or stalking.

Senate Committee on Judiciary

March 19, 2019

Chairperson Patton and Members of the Committee:

My name is Julie Donelon and I am the President & CEO of MOCSA, the Metropolitan Organization to Counter Sexual Assault, and I am here to testify in support of Senate Bill 150 which aims to enact housing protections for victims of domestic violence, sexual assault, human trafficking, and stalking. I would like to thank Senator Sykes and the bill's sponsors for introducing this important legislation and for prioritizing their support for Kansans who are victims of these violent crimes.

MOCSA works to improve the lives of those impacted by sexual assault and abuse and to prevent sexual violence in our community – the Kansas City metropolitan area. MOCSA serves Wyandotte and Johnson Counties in Kansas, as well as several counties in Missouri. Without supportive services, the trauma of sexual violence can stay with victims for a lifetime. MOCSA provides education to the community, counseling services to victims and their families, and advocacy services to allow victims to more easily navigate the criminal and civil justice systems. In 2018, MOCSA provided over 4,600 hours of counseling and advocacy to Kansas residents. Additionally, education and outreach was provided to over 25,000 people in Kansas.

According to the KBI, reports of rape in state of Kansas increased by 8.1% last year, with the highest number of offenses reported since at least 1998. MOCSA's service area of Johnson and Wyandotte Counties accounts for one of every five reports of rape in the state (Kansas Bureau of Investigation, 2018).

We hear from sexual assault survivors every day that access to safe housing is a significant barrier in Kansas. It is estimated that 55% of sexual assaults occur within or near the victim's home and three out of four sexual assaults are committed by someone known to the victim, and yet, there are no housing protections to assist them in securing safe housing following an assault (RAINN.org; 2014).

Currently, victims face an array of consequences for breaking their lease because their home is no longer safe. If they request to be absolved from their lease or disclose why they are not safe in the home, the landlord or property manager may deny this request or may evict them, tarnishing their rental history and making it more difficult for them to find safe housing in the future.

Many survivors that we have worked with have shown supporting documentation to a property manager and requested to be absolved of their lease only to be told “no”- that they are responsible for paying out the rest of their lease or pay a significant sum to terminate it. The victim is then faced with the terrible decision: to either stay in their home and live in fear of their perpetrator or to break their lease and face a judgment on their credit report - making it very difficult for them to find safer housing in a different location.

Some survivors who have told their property manager that they were sexually assaulted in their unit have then been evicted for the violence that was perpetrated against them – because it is legal in Kansas for a victim to be evicted from one’s home because of a sexual assault. This bill will correct that practice.

Recently, a MOCSA advocate worked with a survivor who was sexually assaulted by her employer during a work event. Because her employer was also the owner, she no longer felt safe at work and, as a result, she had to resign from her job, losing her only source of income. Additionally, after reporting her assault to law enforcement, she no longer felt safe in her home, since her employer knew her address and she was frightened that he would come to her home. The survivor, a college student, was able to find a place to stay temporarily, free of charge, while she looked for a job. The only job she was able to find was a part-time job, without benefits, and her wages were not enough to cover her rent expenses. The survivor’s landlord would not let her out of her lease and said that if she moved out, she would still be responsible for paying rent at the apartment until a new tenant was found. As a result, she was forced to live in fear and in desperate financial conditions.

In our work with survivors, we know that sexual assault occurs across all socioeconomic backgrounds. In our support of this bill, we want to speak specifically about the clarification of the reasonable termination fee to not exceed one month's rent so that the protections offered by this bill can be as accessible as possible by survivors with a broad range of economic backgrounds and situations.

I strongly urge the Committee to support Senate Bill 150 to better serve Kansas victims of domestic violence, sexual assault, stalking or human trafficking. Thank you for your time and strong consideration in this matter.

Sincerely,

Julie Donelon, MSW
MOCSA President & CEO