



National Family Violence Law Center

THE GEORGE WASHINGTON UNIVERSITY

NFVLC Model Coercive Control Definition for Civil Statutes (Custody and PO)

Coercive control is a pattern of behavior that unreasonably interferes with an opposing party's or family member's free will and personal liberty. This pattern may but need not include assault as part of a larger pattern of abusive conduct used to control, dominate, harm, punish, or frighten an opposing party or family member, isolate them from support, deprive them of independence, or unreasonably regulate their everyday behavior. In determining whether the interference is unreasonable, the court shall consider the context and impact of the pattern of behavior from the perspective of a similarly situated person in the opposing party or family member's position. Coercive control does not include protective action taken by an opposing party or family member in good faith for the legitimate and lawful purpose of protecting themselves or children from the risk of harm posed by the other party.

A presumption that coercive control has occurred in a particular case shall apply when the Court finds a party has perpetrated against an opposing party or family member two or more of the following:

1. Engaging in acts of physical violence, threatening to harm or kill the opposing party or family member or children, stalking, threatening suicide or other acts of self-harm in order to manipulate the opposing party or family member, or deliberately driving recklessly with the opposing party or family member or the opposing party or family member's children in the vehicle to intimidate;
2. engaging in verbal, emotional, or psychological abuse or aggression, including, but not limited to, name-calling, shaming, mocking, criticizing, denigrating, demeaning,

- humiliating, intimidating, inflicting fear, or otherwise punishing the opposing party or family member;
3. controlling, exerting undue influence over, interfering with, regulating, or monitoring the opposing party or family member's activities, communications, daily behavior, or movements;
 4. engaging in forced sex acts, or threats of a sexual nature, including, but not limited to, threatening acts of sexual conduct, threatening to release sexual images, or other forms of sexual or reproductive coercion;
 5. depriving the opposing party or family member of basic necessities or committing other forms of financial exploitation, including, but not limited to, impairing the opposing party or family member's access to employment, education, economic autonomy, or transportation;
 6. causing dependence, confining, or isolating the opposing party or family member from friends, family, or other sources of support, including, but not limited to, schooling and employment, or subjecting the opposing party or family member to physical confinement or restraint;
 7. contacting, or threatening to contact, local or federal agencies based on the actual or suspected immigration status of the opposing party or family member, or exerting control over the opposing party or family member's identity documents;
 8. using technology, including, but not limited to, telephone, online accounts, text messages, internet-connected devices, or other electronic technologies, to engage in cyberstalking, tracking, monitoring, surveilling, impersonating, manipulating electronic media, or distributing actual or fabricated sexual images;
 9. damaging, destroying, or threatening to damage or destroy property, household items, or items of special value;
 10. committing or threatening to commit cruelty to animals;
 11. forcing the opposing party or family member to take part in unlawful activity or child abuse.

Notwithstanding the foregoing list of examples, other patterns of abusive behavior may also be found to constitute coercive control if they have been used to establish or maintain dominance, power and control over the other party or family member.