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How Criminal Activity Nuisance Laws Can Hurt Victims of Domestic Violence

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Focus on Facts

Maxine Goodman Levin College of Urban Affairs – Cleveland State University

May 2017, No. 1

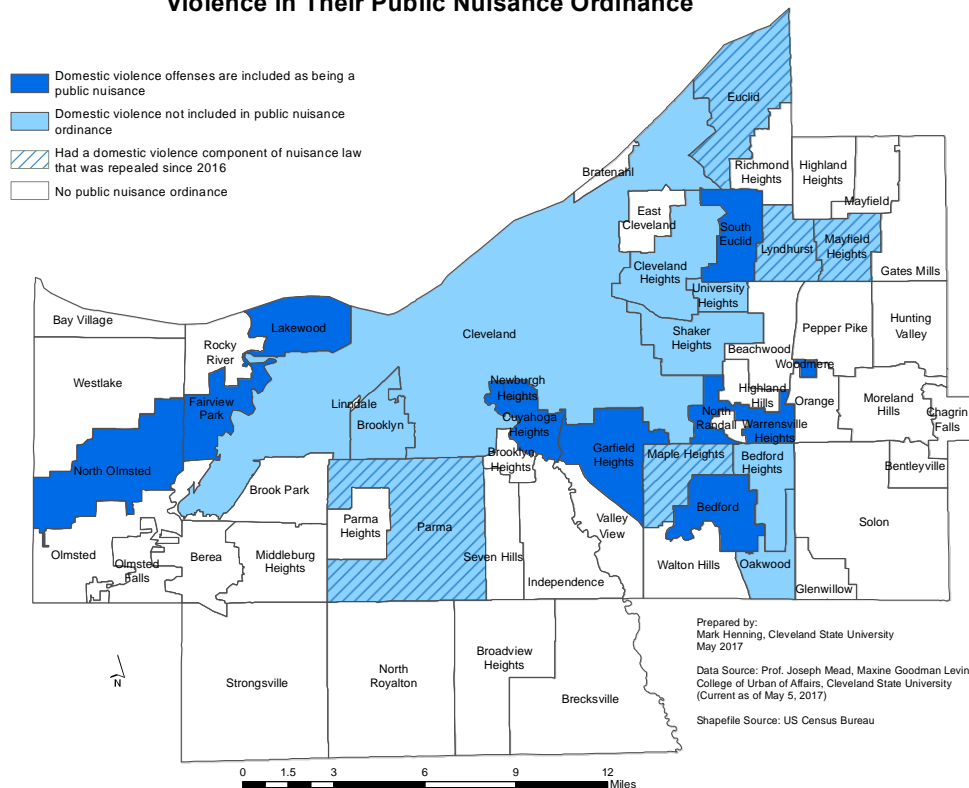
How Criminal Activity Nuisance Laws Can Hurt Victims of Domestic Violence

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- More than 40 Ohio cities and villages have Criminal Activity Nuisance Laws that permit the eviction of tenants when police or emergency medical services respond to an “excessive” amount of criminal activity occurring on a property within a set time period.
- Municipalities vary in their definition of “excessive” and the length of the given time span, although it can be as low as a few isolated incidents over a year or longer.
- About half of these cities have laws that explicitly include domestic violence as an offense that triggers a nuisance designation.
- Cuyahoga County has a particularly high concentration of nuisance laws. In November 2016, 15 jurisdictions had nuisance laws that included domestic violence as a listed nuisance activity.
- Because the nuisance label applies to the property, treating calls for domestic violence as a nuisance places individuals who are victimized in their home at risk of a forced eviction.
- Advocates have criticized similar laws across the country as being discriminatory, unjust, and in violation of the Federal government’s Fair Housing Act.

Cuyahoga County Municipalities That Include Domestic Violence in Their Public Nuisance Ordinance





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- As part of a class project, a group of Cleveland State graduate students (Masters of Public Administration and Law) successfully lobbied for the City of Euclid to amend its law in December 2016 to remove domestic violence as a listed nuisance.
- As a result of the public attention the students brought to this issue, several other cities in Cuyahoga County are studying their nuisance laws. Lyndhurst and Maple Heights, for example, have recently amended their laws to protect victims of domestic violence.
- We are using the adoption and implementation of criminal activity nuisance laws in Ohio to better understand how local governments make policy choices, to look for racial or other disparities in enforcement, and to examine the relationship between housing stability and contact with law enforcement.
- We also plan to expand this study to understand how criminal activity nuisance laws affect victims and their families in both the long and short term.

Distribution of Ohio Municipalities with and Without Nuisance-Related Domestic Violence (DV) Ordinances

