



DISREGARDED AND IN DEBT

UNDERSTANDING BARRIERS TO RELIEF
FOR VICTIMS OF COERCED DEBT



National
Consumer Law
Center
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for Economic Justice*

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ACKNOWLEDGMENTS

The authors would like to thank Emily Gallo, a 2025 NCLC Summer Legal Intern and law student at the University of Michigan School of Law for organizing and compiling the data and information from the 2025 National Coerced Debt Survey and Coerced Debt Working Group (CDWG) Comments submitted in response to the CFPB Advance Notice of Proposed Rulemaking (ANPRM); Adrienne Adams, Professor of Psychology, Michigan State University for help with editing and organizing the report; and the following additional members of the CDWG who worked on the 2025 National Coerced Debt Survey and CDWG Comments submitted in response to the CFPB ANPRM from which this report was derived: the Center for Survivor Agency and Justice, The Legal Aid Society, The Network: Advocating Against Domestic Violence; Texas Appleseed; Tzedek DC; Illinois Coalition Against Domestic Violence; and the Women's Center & Shelter of Greater Pittsburgh.

The authors also thank the communication team, Michelle Deakin and Stephen Rouzer, Nick Fiacco for reviewing the endnotes, and Ella Halpine for layout and design.

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EXECUTIVE SUMMARY

Different forms of abuse are often present in relationships where one person exerts power and control over another. Economic abuse is one such tactic, where one person limits the financial freedom of another. It encompasses a pattern of behavior that restricts a person's ability to acquire, use, or maintain financial resources. Economic abuse can be just as damaging as physical or emotional abuse because it creates a state of dependency and fear that keeps the impacted person in the abusive relationship.

A particularly damaging form of economic abuse is coerced debt. This occurs when an abuser either fraudulently opens accounts—like credit cards or loans—in the victim's name or coerces the victim into taking on debt they would not have otherwise obtained. This can be done by using threats, manipulation, or even physical force.

The effects of coerced debt can be devastating and long lasting, significantly damaging a victim's credit record. Damaged credit histories can make it incredibly difficult for a person to secure housing, employment, or new credit, thereby further increasing financial insecurity.

And financial insecurity is the leading reason survivors of domestic violence feel they cannot leave their abuser. As a result, economic stability is critical to safety and recovery from abuse. Economic stability is not just about having money; it's about having the freedom and resources to create a secure future, free from abuse.

To address the problem of coerced debt, the National Consumer Law Center (NCLC) and the Center for Survivor Agency & Justice (CSAJ) submitted a petition to the Consumer Financial Protection Bureau (CFPB) on August 2, 2024, requesting that the CFPB expand the definitions of "identity theft" and "identity theft report" in the Fair Credit Reporting Act (FCRA) to cover debt that is coerced. The CFPB granted the petition and issued an Advance Notice of Proposed Rulemaking (ANPRM)¹ on December 9, 2024. Through the ANPRM, the CFPB sought public input in advance of issuing a rule that would revise the definition of "identity theft" to include transactions made "without effective consent." The revision would allow victims of coerced debt to use the FCRA's identity theft protections to block information related to coerced debt from appearing on their credit reports.

Coerced debt occurs when an abuser either fraudulently opens accounts—like credit cards or loans—in the victim's name or coerces the victim into taking on debt they would not have otherwise obtained.

Members of the National Coerced Debt Working Group (CDWG), composed of over 20 state, local, and national organizations, including NCLC and CSAJ, submitted collective comments on the ANPRM to the CFPB on March 7, 2025.² As part of the comments submitted, the CDWG conducted a nationwide survey of direct service providers regarding the barriers faced by victims of coerced debt³ when trying to address coerced debt on their credit reports.

This report provides a summary of the survey results used in drafting comments to the CFPB. Over 200 direct service providers responded to the survey, providing data regarding the specific barriers faced by victims of coerced debt when utilizing provisions of the FCRA to address the credit impact of coerced debt. In the background information section for each survey question and responses, we also included some of the additional comments provided in the collective ANPRM comments that were submitted to the CFPB to further describe the barriers faced by victims of coerced debt.

Survey responses revealed that victims of coerced debt face significant barriers when attempting to dispute and block coerced debt under the FCRA's identity theft protections. These barriers include difficulties:

- Obtaining adequate documentation to support a claim for identity theft and/or coerced debt, including difficulties obtaining a police report;
- Not having coerced debt blocked or deleted by consumer reporting agencies (CRAs) because CRAs and creditors often claimed, without evidence, that victims of coerced debt benefitted from a coerced debt transaction by virtue of simply being in a relationship or sharing a household with the person who actually incurred that debt; and
- Obtaining relief without legal representation and difficulty accessing legal representation.

Survey responses revealed that victims of coerced debt face significant barriers when attempting to dispute and block coerced debt under the FCRA's identity theft protections.

As a result, few victims of coerced debt were successful in blocking or removing coerced debt from their credit reports when utilizing the FCRA's existing protections.

We also asked respondents whether their state law provides victims of coerced debt relief and whether these state laws have proven effective in obtaining relief for victims of coerced debt. Though some states do have coerced debt laws providing relief for victims of coerced debt, survey responses indicated that it was too early to determine the efficacy of these laws because they had only recently been passed.

I. BACKGROUND

A. Economic Abuse and Coerced Debt

Individuals who seek to exert power and control over another often use a variety of tactics to cause harm, such as physical, emotional, psychological, and economic abuse. Economic abuse involves “behaviors that control a person's ability to acquire, use or maintain economic resources.”⁴ Economic abuse encompasses a variety of acts such as limiting a survivor's⁵ access to employment, assets, income, joint bank accounts, or knowledge of household finances.⁶

Economic abuse creates financial insecurity, which is the greatest barrier to safety for survivors and the top reason reported by survivors for remaining in or returning to an abusive relationship.⁷ The economic impacts of abuse are not limited to a discrete incident but are often compounded by financial systems that create an economic ripple effect over the course of a survivor's lifetime, erecting profound, long-term barriers to the survivor's safety. There is no safety without economic security.

For survivors of domestic violence, safety often hinges on access to economic resources. The real costs of safety include relocation, new housing, having to change jobs or find a flexible employer, transportation, childcare, seeking legal protection from an abusive partner, and legal representation. And women living in poverty are more likely to experience domestic violence than women who are not living in poverty, leaving them financially dependent on their abuser.⁸

While economic abuse spans a wide array of abusive behavior, damage to a survivor's credit record is one predominant tactic abusers use to exert control. Damage to credit histories has become increasingly prevalent, and as consumer lending has permeated American life, the consumer credit system has become “an unknowing party to domestic violence.”⁹ Abusers destroy a survivor's credit record by fraudulently opening accounts in a survivor's name, lying about paying bills in a survivor's name, overcharging credit accounts, or coercing survivors to obtain loans, credit lines, or other expenses.¹⁰ This type of activity, known as “coerced debt,” inflicts long-term financial hardship on survivors,¹¹ creating barriers that impede physical safety as well.

Economic abuse creates financial insecurity, which is the greatest barrier to safety for survivors and the top reason reported by survivors for remaining in or returning to an abusive relationship.

Coerced debt involves all non-consensual credit-related transactions, including fraudulent debt and debt incurred through force, threat, or intimidation. Coerced debt has severe negative consequences, including damage to credit histories, which in turn leads to difficulty obtaining housing, employment, and other credit and reliance on predatory lending, thereby trapping victims in a cycle of debt and increasing their risk of remaining in or returning to abusive relationships.¹²

In response to the 2025 National Coerced Debt Survey (discussed in more detail below), an advocate working with victims of coerced debt in Florida explained how coerced debt affects their clients:

My clients are often married to their abusers. Their abuser uses their social security number to open accounts and then misuse the accounts. When they get divorced, they are told by the financial institutions that they are responsible for the debt because they were married to the person that accumulated the debt or did so in the client's name. My clients are mostly low-income and oftentimes are not familiar with how to remove anything from their credit report. They just absorb the debt and try to pay it off while surviving from domestic violence and taking care of their children.

Advocates who are knowledgeable about coerced debt, its devastating financial consequences, and the barriers victims face to get relief from coerced debt are better equipped to help clients get financial relief. The information in this report can be used to understand the challenges victims of coerced debt face, to support requests for funding work to help victims of coerced debt, and to provide evidence of the need for systemic policy change.

B. Petition to the CFPB to Undertake Rulemaking to Help Victims of Coerced Debt

On August 2, 2024, the National Consumer Law Center (NCLC) and the Center for Survivor Agency & Justice (CSAJ) petitioned the Consumer Financial Protection Bureau (CFPB) to expand the definition of “identity theft” and “identity theft report” and amend other provisions in the Fair Credit Reporting Act (FCRA) to address the barriers experienced by victims of coerced debt.¹³ The CFPB issued an Advance Notice of Proposed Rulemaking (ANPRM)¹⁴ on December 9, 2024, seeking public input in advance of issuing a rule that would, among other things, revise the definitions of “identity theft” in Regulation V¹⁵ to include the statement “without effective consent” and specify when consent is not effective. The rule would also

amend the definition of “identity theft report” to reflect the modified definition of “identity theft,” thereby enabling victims of coerced debt to utilize the FCRA’s block of information resulting from identity theft.

NCLC, CSAJ, and the National Coerced Debt Working Group (CDWG), composed of over 20 state, local, and national organizations, including NCLC and CSAJ, submitted collective comments on March 7, 2025.¹⁶ To inform these comments, the CDWG conducted the 2025 National Coerced Debt Survey, which was sent to direct service providers working with victims of coerced debt. This report provides a summary of the results from that survey. We also included additional background information, including comments provided by advocates in the CDWG in response to the CFPB’s ANPRM, to provide further information about the barriers faced by victims of coerced debt. This report is a collaborative effort between NCLC, CSAJ, and other members of the CDWG including: The Legal Aid Society; The Network: Advocating Against Domestic Violence; Texas Appleseed; Tzedek DC; Illinois Coalition Against Domestic Violence; the Women’s Center & Shelter of Greater Pittsburgh; Adrienne Adams, Professor of Psychology, Michigan State University; and others.

II. SURVEY OVERVIEW

To inform the comments submitted to the CFPB in response to the ANPRM, NCLC, CSAJ, and other members of the CDWG conducted the **2025 National Coerced Debt Survey**. The survey was completed by over 200 direct service providers responding to questions about the barriers faced by victims of coerced debt when trying to address coerced debt on their credit reports. An explainer of the ANPRM and the raw data file of the survey can be found on CSAJ’s website.¹⁷ The data file is an excel spreadsheet organized with tabs for the survey results and charts on each question asked. The questions from the survey are listed at the top of each tab section. The survey aimed to obtain data and real-life examples responsive to three of the seven questions from the ANPRM— Questions 1, 2, and 6, namely:

1. What information exists regarding the prevalence and extent of harms to victims of economic abuse, particularly coerced debt? How does the consumer reporting system, including provisions relating to identity theft, currently contribute to or reduce those harms? *The survey addressed the first part of this question.*
2. To what extent do protections under the FCRA or other Federal or State laws exist for victims of economic abuse with respect to consumer reporting information? What barriers exist that may prevent survivors of economic abuse from availing themselves of existing protections? *The survey addressed the second part of this question.*

and

6. Comments to the petition identify survivors of intimate partner violence, domestic abuse, and gender-based violence as groups that would benefit from explicit inclusion of coerced debt as a form of identity theft. Commenters noted specific vulnerabilities for older Americans, children in foster care, and survivors of color.
 - a. What barriers do these groups face as a result of coerced debt?
 - b. How would the proposed amendments outlined in the petition for rulemaking reduce those barriers?
 - c. Are there other populations who experience problems with coerced debt and whose experiences should be considered in the proposed rulemaking?¹⁸

The survey addressed (a) and (c) of this question.

III. DATA COLLECTION METHODS

There is a growing body of academic and practice-based research on the prevalence, impact, and unique legal and financial systemic barriers to addressing coerced debt.¹⁹ In January 2025, the CDWG conducted the 2025 National Coerced Debt Survey to obtain focused information on the specific barriers faced by victims of coerced debt when trying to address the credit impact of coerced debt utilizing FCRA protections.

The CDWG first assessed the landscape of available data. Then, a selection of CDWG members co-led by NCLC and CSAJ designed the 2025 National Coerced Debt Survey to obtain additional information. The survey contained:

- Nine questions about respondent demographics, populations served, and estimated caseloads of clients with coerced debt;
- Six questions about specific barriers to disputing and obtaining a block on coerced debt from credit reporting agencies;²⁰
- Two questions about state-specific coerced debt legislation;
- Free-form text boxes after questions to add narrative responses specific to prevalence, impact, barriers, and unique populations; and
- A final open-ended question for respondents to share their stories and experiences around coerced debt.

The survey was designed by Sara Wee of the CSAJ, Carla Sanchez-Adams and Andrea Bopp Stark of NCLC, Claire Mooney of the Legal Aid Society, Briana Gordley while at Texas Appleseed, and numerous reviewer members of the CDWG.

The survey utilized closed-ended questions and optional open-ended questions. For questions where “Other” was a response option, respondents were asked to provide additional comments at the end of the survey. The survey also contained the prompt: “Share your story: Share any more details regarding your responses above and the specific barriers survivors face. For survivors who have gone through part or all of the dispute process for coerced debt, please describe their experience, barriers, and outcomes.”

The survey was emailed to advocates who had joined CSAJ's 2019 Coerced Debt Summit or other coerced debt-related trainings and events, and to the Coerced Debt Listserv.²¹ The survey was also sent to consumer attorneys (including legal aid, non-profit lawyers, and private lawyers) on various NCLC listservs. Listserv members were encouraged to share the survey widely with advocates working with impacted communities.

The survey went live on January 22, 2025, and was closed on February 2, 2025. Below is a chart of the questions asked in the CFPB's ANPRM and the corresponding questions asked in the 2025 National Coerced Debt Survey. The questions asked in the survey were also cross-cutting; as a result, the responses were used to address multiple questions from the ANPRM.

ANPRM Question	Corresponding Survey Question(s)
What information exists regarding the prevalence and extent of harms to victims of economic abuse, particularly coerced debt?	Have any survivors you worked with successfully disputed coerced debt with credit reporting agencies? [This would mean the coerced debt was removed from the credit report.] ■ No one, ever ■ One or two ■ A few ■ Many or most ■ Everyone, always ■ N/A - I don't provide direct advocacy / services

ANPRM Question	Corresponding Survey Question(s)
	Have any survivors you worked with successfully obtained a block of coerced debt from the credit reporting agencies? [This would mean the coerced debt no longer appears on the credit report.] ■ No one, ever ■ One or two ■ A few ■ Many or most ■ Everyone, always ■ N/A - I don't provide direct advocacy / services
	How often do survivors you work with face the following barriers before disputing coerced debt with credit reporting agencies? (1=Rarely/Never, 2=Sometimes, 3=Often/Always) ■ Difficulty obtaining a credit report(s) ■ Difficulty understanding a credit report(s) ■ Fear of obtaining a police report to dispute coerced debt ■ Difficulty gathering additional financial information to dispute coerced debt ■ The complexity of the dispute process while navigating multiple other safety needs and service systems (like housing) ■ Other_____

ANPRM Question	Corresponding Survey Question(s)
	How often do survivors you work with face the following barriers after disputing coerced debt with credit reporting agencies? (1=Rarely/Never, 2=Sometimes, 3=Often/Always) ■ Survivors do not receive a response to their disputes ■ Survivors do not receive a response to their disputes in a timely manner ■ Survivors do not receive a response to their disputes in language(s) they speak, read, or understand ■ Credit reporting agencies will not accept documentation of coerced debt from anyone other than police/law enforcement ■ Credit reporting agencies report the coerced debt as disputed, but do not remove the coerced debt from the credit report ■ Credit reporting agencies remove some of the disputed coerced debt, but not all ■ Survivors do not have the resources, knowledge, or time to start a legal proceeding if the credit reporting agencies do not remove the coerced debt. ■ Other _____

ANPRM Question	Corresponding Survey Question(s)
What barriers exist that may prevent survivors of economic abuse from availing themselves of existing protections?	What barriers do survivors experience when requesting a block to prevent coerced debt from appearing on their credit report? - Survivors never receive a response to their request to block coerced debt - Credit reporting agencies refuse to block coerced debt without providing an explanation - Credit reporting agencies refuse to block coerced debt even with a police report - Credit reporting agencies refuse to block coerced debt when a survivor only submitted an FTC Identity Theft Report - Credit reporting agencies refuse to block coerced debt when a survivor only uses a court order to support the request (e.g. divorce judgment/decreed, debt collection suit order, ID theft order) - Credit reporting agencies block some of the coerced debt but not all - Other _____

ANPRM Question	Corresponding Survey Question(s)
	Beyond the particulars of the dispute process, to what extent do the following safety, service, and systemic barriers play a role in preventing survivors from availing themselves of existing protections? ■ Survivors do not know about or understand legal protection or relief available ■ Survivors cannot access or afford legal or other assistance ■ Survivors do not trust the legal system ■ There is limited or no specific legal protection available for survivors with coerced debt ■ The risk of further abuse or harassment from abusive partners or harm doers if survivors attempt to dispute coerced debt ■ No or insufficient language access ■ The risk of other systems consequences if survivors challenge coerced debt (i.e. public benefits, child welfare, immigration status, or child custody/divorce case) ■ Negative treatment or predatory practices by creditors and debt collectors, regardless of the dispute or its outcomes ■ Other _____

ANPRM Question	Corresponding Survey Question(s)
Comments to the petition identify survivors of intimate partner violence, domestic abuse, and gender-based violence as groups that would benefit from explicit inclusion of coerced debt as a form of identity theft. Commenters noted specific vulnerabilities for older Americans, children in foster care, and survivors of color. a. What barriers do these groups face as a result of coerced debt? ... c. Are there other populations who experience problems with coerced debt and whose experiences should be considered in the proposed rulemaking?	Share your story: Share any more details regarding your responses above and the specific barriers survivors face. For survivors who have gone through part or all of the dispute process for coerced debt, please describe their experience, barriers, and outcomes. [long-form/ paragraph response] The CFPB's ANPRM asked for more information about populations who experience coerced debt outside of DV/survivors, including children in foster care and older Americans. Are there other populations who experience problems with coerced debt and whose experiences should be considered in the proposed rulemaking? If so, please describe any unique barriers those populations face when addressing coerced debt through existing protections. [long-form/ paragraph response]

We also asked respondents whether their states had enacted laws providing survivors with relief from coerced debt and, if so, whether those laws had been effective. While we highlight several states that have recently adopted such protections, respondents indicated that it is still too soon to assess their impact given how recently the laws were implemented.

IV. SURVEY RESPONDENTS

A. Respondents' Location

We received 206 responses from 40 states and the District of Columbia. [Figure 1](#) shows that responses were evenly divided across four regions of the country, with the greatest percentage coming from the South at 26.7%.

Figure 1: States Surveyed and Number of Respondents by Region

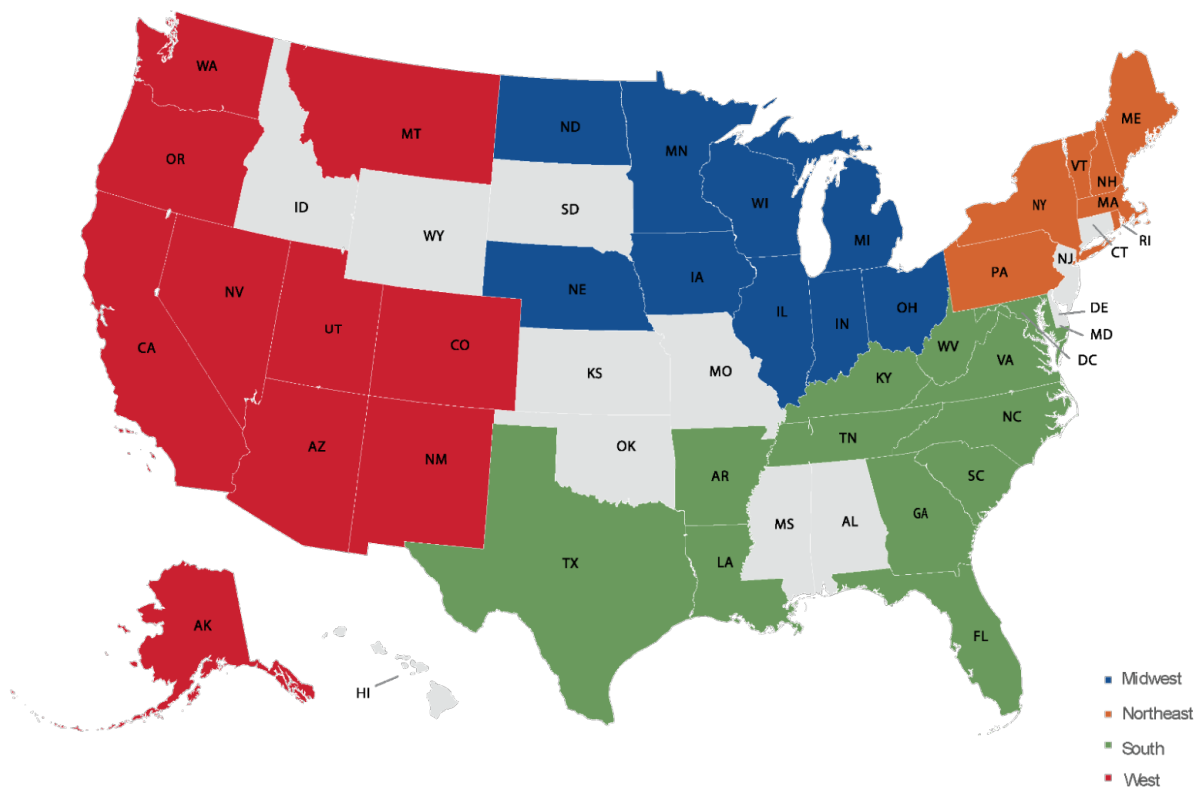
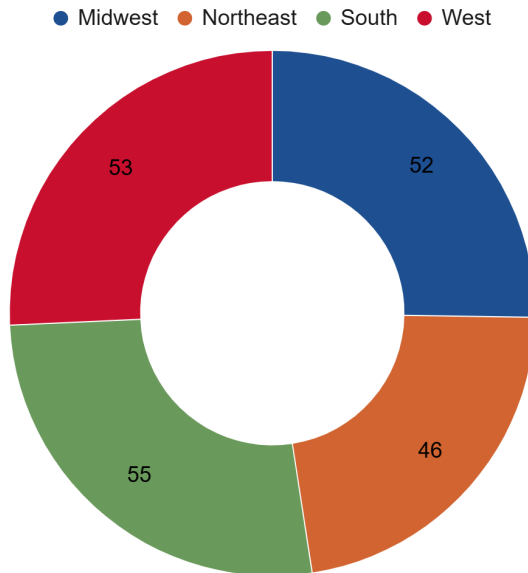


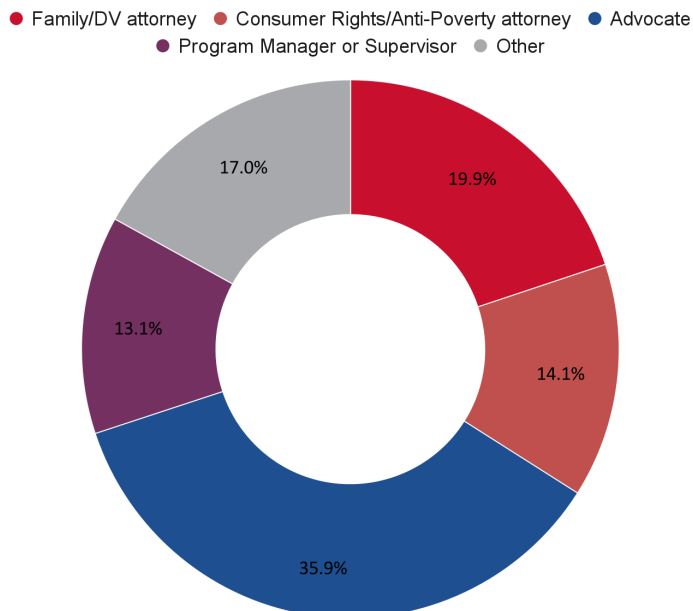
Figure 2: States Surveyed and Number of Respondents by Region (%)



B. Respondents' Role & Organizational Type

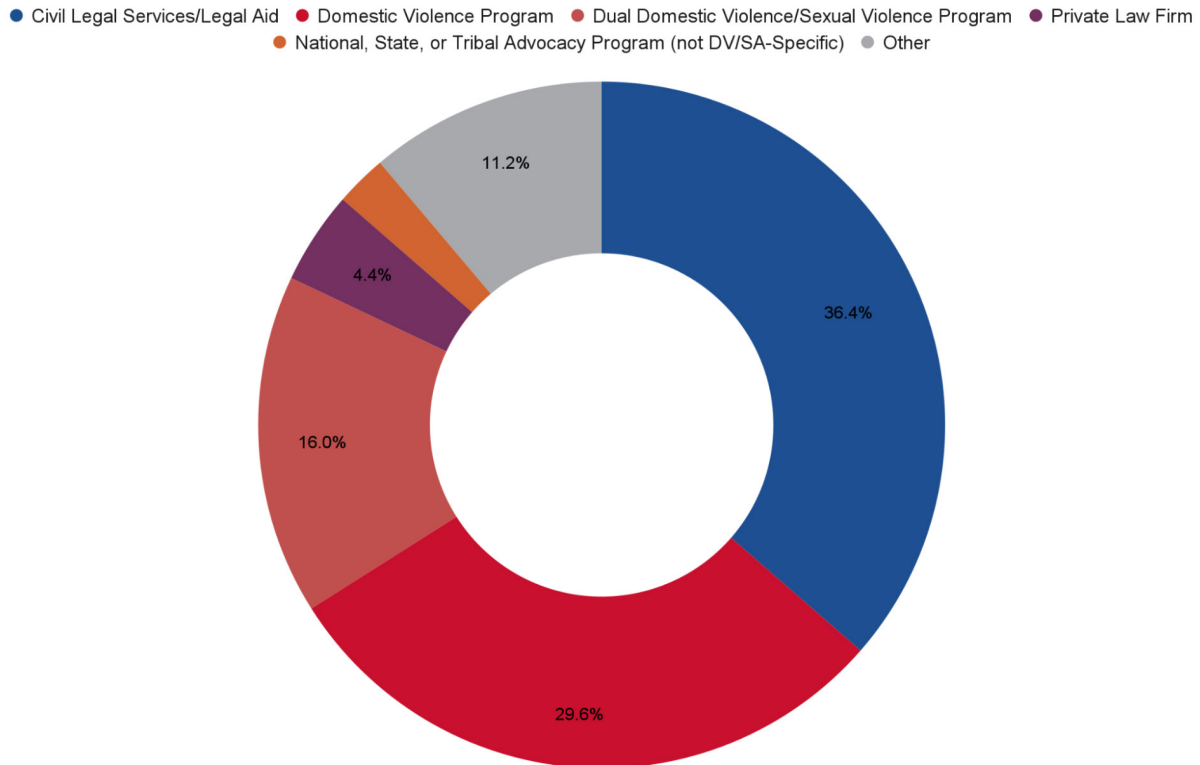
The majority of respondents were direct (non-lawyer) survivor/client advocates (36%), followed by family or domestic violence attorneys (20%), consumer rights or anti-poverty attorneys (14%), and program managers or supervisors (13%).

Figure 3: Role of Respondents (%)



Most worked in direct advocacy or service organizations, such as civil legal services (36%), domestic violence programs (30%), or dual domestic/sexual violence programs (16%)

Figure 4: Organizational Type of Respondents (%)

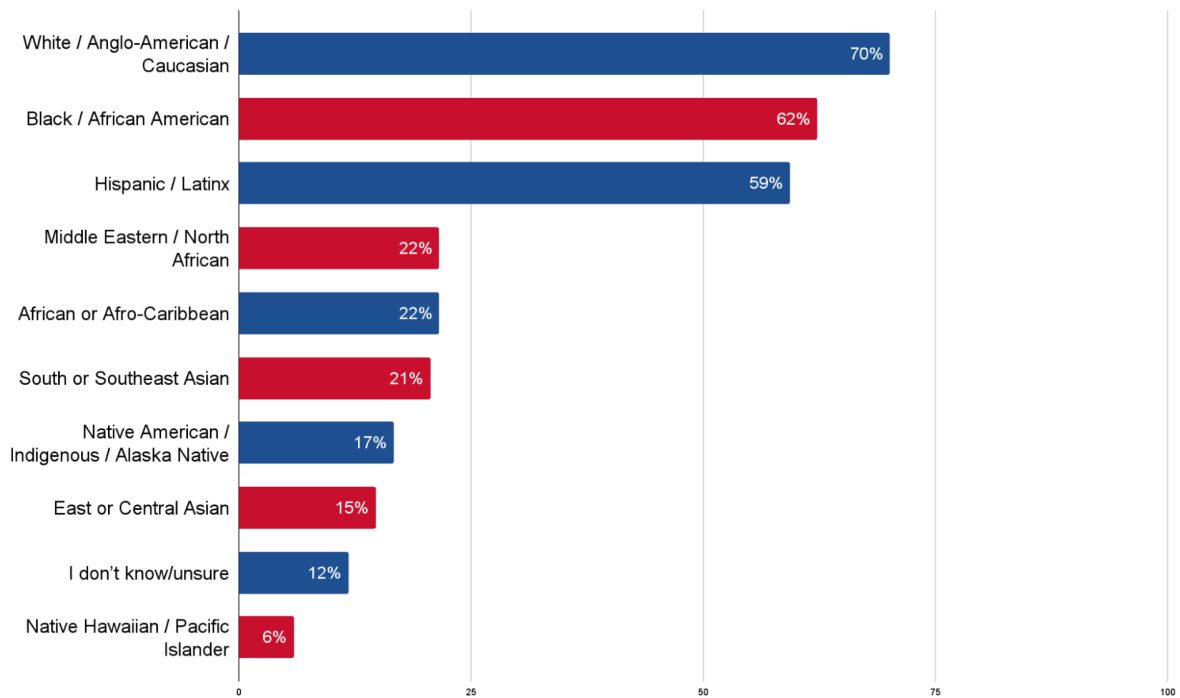


C. Race, Ethnicity and Demographics Served by Respondents

Combined, respondents estimated that they served approximately 2,570 people per month in 2024, half of whom identified having coerced debt, for an estimated total of between 8,000 – 14,640 victims of coerced debt served in 2024 by the respondents.

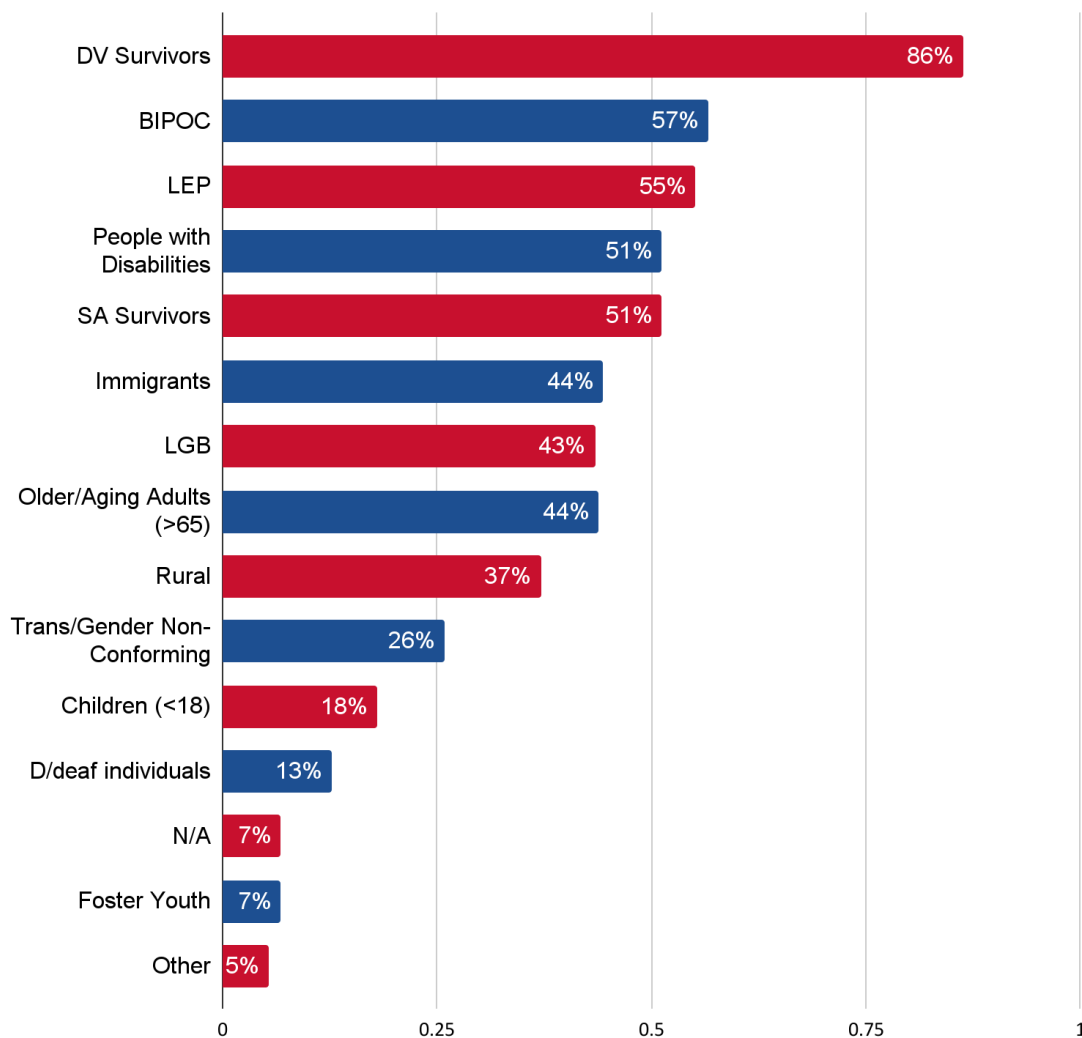
In the past year, respondents worked with people with coerced debt that identified as primarily White/Caucasian (70%), Black/African American (62%), and Hispanic/Latinx (59%).

Figure 5: Race/Ethnicity Served by Respondents (%)



In the past year, respondents worked with people with coerced debt that identified primarily as domestic violence survivors (86%), Black, Indigenous, and People of Color (BIPOC) (57%), people with limited English proficiency (LEP) (55%), people with disabilities (51%), and immigrants (44%).

Figure 6: Demographics Served by Respondents (%)



This report details some of the specific barriers survivors from these different demographics experience when addressing coerced debt through the existing protections of the Fair Credit Reporting Act. However, it is important to note that many of the respondents may belong to more than one of these populations. For example, one respondent can be a DV survivor, an immigrant, a Limited English Proficiency (LEP) individual, and live in a rural community. Each of those populations encounters challenges unique to that demographic that may be compounded by being a victim of coerced debt.

V. SURVEY RESULTS

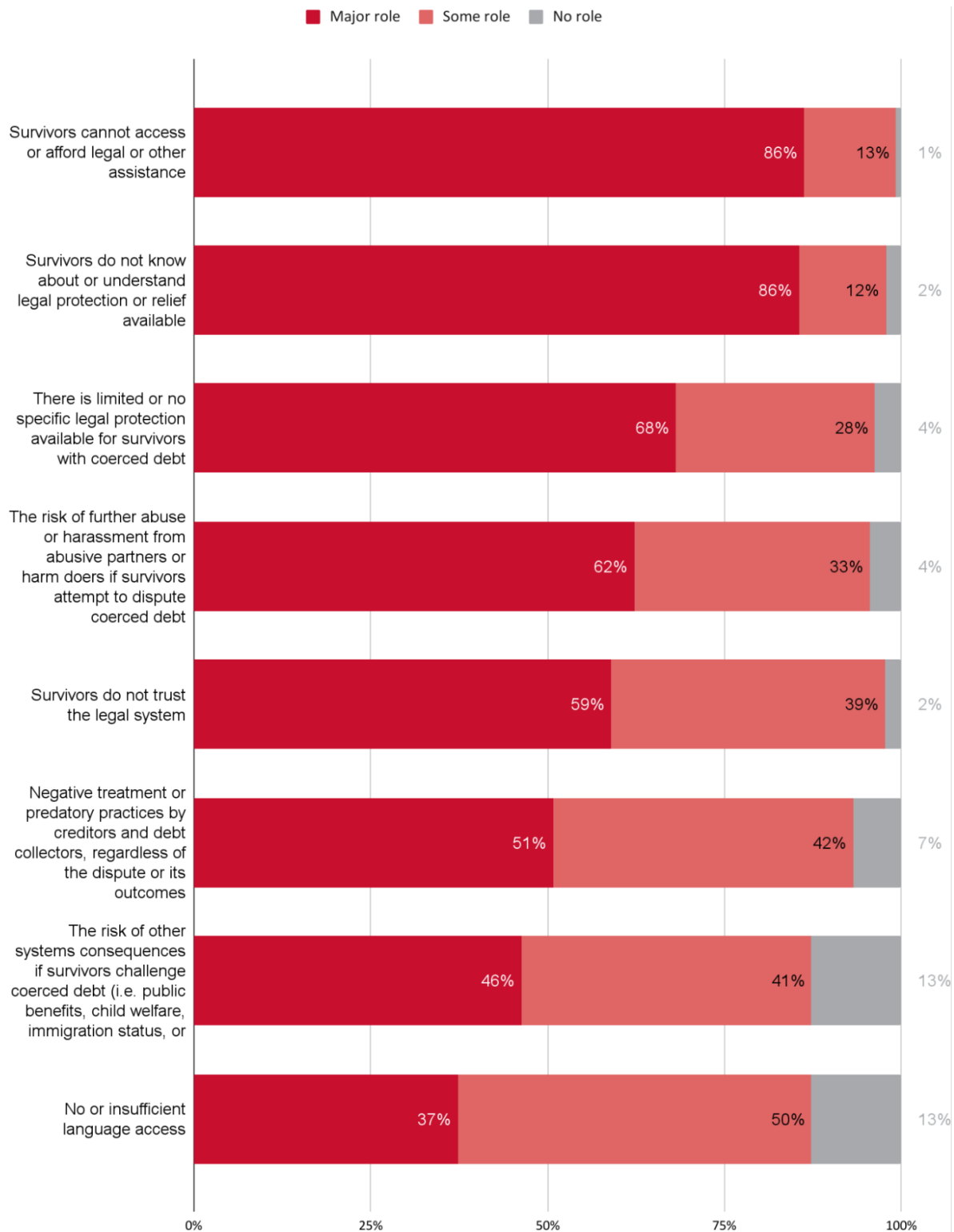
The results are organized by survey question. After each survey question, we provide a summary of the survey's findings, followed by the participants' responses to any open-ended follow-up questions. The open-ended follow-up questions allowed respondents to provide additional comments to questions that offered a response option of "Other." The final question of the survey also allowed for additional feedback. Where respondents provided additional information, we list the state where the respondent is located.

A. General Barriers to Accessing Relief for Coerced Debt

SURVEY QUESTION: Beyond the particulars of the dispute process, to what extent do the following safety, service, and systemic barriers play a role in preventing survivors from availing themselves of existing protections? (1=No role, 2=Some role, 3=Major role)

- Survivors do not know about or understand legal protection or relief available
- Survivors cannot access or afford legal or other assistance
- Survivors do not trust the legal system
- There is limited or no specific legal protection available for survivors with coerced debt
- The risk of further abuse or harassment from abusive partners or harm doers if survivors attempt to dispute coerced debt
- No or insufficient language access
- The risk of other systems consequences if survivors challenge coerced debt (i.e. public benefits, child welfare, immigration status, or child custody/divorce case)
- Negative treatment or predatory practices by creditors and debt collectors, regardless of the dispute or its outcomes
- Other_____

Figure 7: The extent to which safety, service, and systemic barriers prevent survivors from availing themselves of existing protections (%)



As shown in [Figure 7](#), access to or the ability to afford legal or other assistance was the most common general barrier in getting relief for coerced debt. Specifically, **99.28%** of respondents reported that **survivors cannot access or afford legal or other assistance**. Some of the comments from respondents about this barrier include:

Systems are set up in a way that are purposefully difficult to navigate and/or may cost additional funds to procure, i.e. legal fees, attorneys, etc. **(Illinois)**

I had a mother call who wanted financial compensation for almost \$20k in credit card debt her ex had racked up. Since the criminal case wasn't proceeding, restitution wasn't an option. She wanted to sue him, which is not something we assist with. We recommended small claims as being easier for pro se clients, though she'd be forgoing about half of the money then. There is not a lot of funding to support survivors with this type of issue. She didn't ask about the credit issues, and I didn't know enough to ask about them. **(Wisconsin)**

Our rural agency does not have legal or specialized expertise to help survivors navigate the process of disputing coerced debt. We work with clients for a limited amount of time, typically three months or less, and the process of disputing coerced debt takes much longer than that. **It's difficult for survivors to find a reputable, affordable option for help.** A survivor came to our shelter and paid a debt consolidation company more money than the actual amount of the debt itself. Because she had a mild intellectual disability, they were easily able to convince her that they were providing her a worthwhile service by taking her monthly payments; however not a single penny of the money she paid went to the debt itself. **(Nevada)**

[Survivors] do not have money to hire a lawyer or the time to dispute the debt. **(Arizona)**

97.83% of respondents reported that sometimes, often, or always **survivors do not know about or understand legal protections or relief available**. Respondents provided the following comments:

My office provides legal aid to consumers facing lawsuits for debt collection. We also advise on credit reporting issues related to consumer debt. My office hosts legal aid drop-in sessions at a domestic violence center once a month along with hosting two drop-in legal aid clinics a week. Many survivors that we work with do not know their legal rights with regards to the debt or credit reporting aspect. For disputes, there is the issue of gathering information to support the assertion that the debt was coerced. In particular, one client of ours never reported the domestic violence during her marriage because of fear that she would not be taken seriously. She was hesitant to dispute the debt during a lawsuit or file a dispute with the credit reporting agencies. Her lawsuit with a creditor is ongoing. **(Western New York)**

Most if not all of our clients do not have any financial literacy, do not understand the importance of credit, or having clean records. Oftentimes they also do not remember if their abuser forced them to open an account as it may not have "felt" forced and is more in line with financial abuse rather than coerced debt. Most of the time our clients don't understand why it's important to not have things in collections as that has been a factor their entire life. **(North Texas)**

My knowledge of disputing coerced debt comes second-hand from a free financial counselor that I refer people to from our shelter. I do not believe that counselor has all the information she needs either, as survivors are not the primary people she serves. I have tried to get money for folks to attempt to negotiate with creditors to pay off a portion of the debt and have the rest waived. This works some of the time. **It is often a very scary idea for survivors to try and negotiate in this way as so many have learned not to assert themselves to keep themselves safe in their abusive relationships. (Vermont)**

While protections exist in state law for coerced debt- there is no way for a survivor to know of such protection. There are no clear guidelines or steps to follow and resolve easily. **It seems complicated and often in English, which can be very overwhelming and intimidating for someone fleeing for their life. (California)**

A lot of the challenges I have experienced with survivors arise because survivors may not understand the system (for a variety of reasons), AND there seems to be a presumption against the relief they're requesting. So, it's not like the CRAs (consumer reporting agencies) are going to help the survivors through the process, and in fact may instead provide just enough information to be unhelpful. **(California)**

I work with South Asian immigrant survivors of gender-based violence. Many speak limited English, so I (or their advocate) has to walk them through every step of the process. This takes a long time, and our capacity is limited. Sometimes we are not allowed to be on the phone or at the bank with them to translate. Survivors often do not understand the legal system enough to feel confident answering questions. Sometimes they don't know the answers to the security questions to even get a copy of their credit report. **(Massachusetts)**

Most survivors and advocates do not know the protections in place. These protections are not accessible to many survivors. **(Vermont)**

[Figure 7](#) also shows that **97.77%** of respondents reported that **survivors do not trust the legal system** sometimes, almost always, or always. One respondent from a crisis hotline in **Louisiana** wrote:

Survivors who find themselves with coerced debt and have abusers who get arrested and jailed, or who leave them with the children and bills to pay, are scared, ashamed, and don't know who to trust to help them. Survivors who are undocumented are afraid of being deported and separated from their children who were born here and are American citizens.

96.3% of respondents reported that sometimes, often, or always there are **limited or no specific legal protections available for survivors with coerced debt**, often because the abuser prevented a survivor from timely accessing information needed to trigger legal protections. Advocates from **California** commented:

I think that even when we pass specific coerced debt legislation, one of the biggest challenges is making it accessible and helping survivors and advocates utilize the tools. Even the tools available to combat identity theft are underutilized, so adding in the emotional, psychological, and physical safety concerns that come with coerced debt means that any available tools are even less likely to be used. In any legislation or regulation around coerced debt, one thing to center, although difficult, is the safety of the survivor by not requiring them to reengage with the abuser. Court systems are not great at protecting survivors, especially civil court, and if the tools utilize civil court processes, then there are going to need to be extra protections added in. There also needs to be effort by advocates around implementation, including training for advocates, info sheets and resources for advocates and survivors, and as many tools as possible to make the protections accessible and understandable.

Improving awareness and legal resources across all sectors, regardless of demographics, will help everyone. I ended up in an extremely abusive situation as the result of others not knowing how to get rid of an individual who abused and exploited my grandmother before ((and after!!!?!??)) her death. The lack of traditional vulnerability factors ultimately made average American adults with minimal legal resources more at risk for manipulation and continued exploitation. Action against those who prey upon disabled, elderly or otherwise vulnerable persons needs to actually happen so that reports are not simply piling up with no consequences or relief for those harmed.

95.55% of respondents reported that there is sometimes, often, or always **the risk of further abuse or harassment from abusive partners or harm doers if survivors attempt to dispute coerced debt**. Advocates provided the following comments:

Some clients are reluctant to pursue relief when they are informed the abuser may be able to see their challenges to the disputed debt. **(New York)**

Our state law process to challenge coerced debt can be intimidating and involves identifying the abuser, which some clients are unwilling to do. **(Bay Area, California)**

93.18% of respondents reported that survivors sometimes, often, or always experience **negative treatment or predatory practices by creditors and debt collectors, regardless of the dispute or its outcomes**. Advocates provided the following examples:

Collection agencies are a big problem. They're difficult to communicate with and behave as if they're untouchable by the law. **(Chicago, Illinois)**

Various credit reporting agencies staff are often rude, short tempered and hard to understand efforts to speak adequate English. **(Michigan)**

Language barriers can lead to rude, condescending treatment by creditors. **(Pennsylvania)**

87.31% of respondents reported that there is sometimes, often, or always **the risk of other system consequences if survivors challenge coerced debt (i.e. public benefits, child welfare, immigration status, or child custody/divorce case)**. Comments from respondents on the consequences and challenges of disputing coerced debt included:

Some of the survivors with whom I've worked on coerced debt issues have faced additional challenges stemming from serious and often untreated mental health issues (e.g. psychosis) and/or substance abuse. The web of economic abuse tends to be much more difficult to untangle in such cases. **(Washington, D.C.)**

Survivors cannot access housing after they leave an abuser based on their credit that includes debt coerced by the abuser. **(Arizona)**

South Asian Survivors have a cultural conditioning about money that makes it already a very difficult topic for survivors to ask questions and be assertive. The whole process of removing debt can be very scary and not easily approachable. Many of them are also on Immigrant visas and worried about their immigration consequences to any step. **(California)**

Lastly, **87.31%** of respondents reported **no or insufficient language access**. Advocates provided the following comments:

I work with South Asian immigrant survivors of gender-based violence. Many speak limited English, so I (or their advocate) has to walk them through every step of the process. **(Massachusetts)**

People with limited language access face significant barriers. They cannot even access their credit reports through annualcreditreport.com in their own language. Credit reports may be available in Spanish directly from the CRAs, but my understanding is that requesting credit reports directly requires consumers to agree to an arbitration agreement that is not present on annualcreditreport.com. **(Tennessee)**

Recent immigrants and others with limited English proficiency have greater challenges navigating dispute processes because most of the available information about how to do this is in English. This community also has a unique risk of incurring coerced debt if the contract or other information about the transaction is in English, while the explanation is in another language. **(California)**

Background Information for [Figure 7: Safety, Service, and Systemic Barriers](#)

As the responses above demonstrate, victims of coerced debt—especially survivors of domestic violence or other forms of abuse—face numerous systemic barriers when seeking relief from coerced debt. These barriers go beyond the technical process of disputing the debt with consumer reporting agencies and cut across other legal, financial, and social systems. Some of these barriers include emotional, psychological, physical, and practical challenges associated with surviving trauma; language access barriers; and safety risks.

Victims of coerced debt often hold multiple marginalized identities and experience intersecting harms resulting from poverty, abuse, and discrimination by the systems they must turn to for help. Damaged credit histories resulting from coerced debt can trap people in poverty, causing disparate harm for marginalized communities who are already economically vulnerable. Coerced debt can be difficult to identify and even harder to address. For survivors from marginalized communities, economic and social barriers exacerbate the existing problems with the consumer reporting system.

The most common barriers identified in the survey related to problems with the legal system. Most state and federal laws are not designed to address the problem of coerced debt. Consumer protection laws (like the Fair Credit Reporting Act or Truth in Lending Act) are primarily built around fraud or identity theft committed by strangers—not by intimate partners or family members. As a result, most creditors and financial institutions do not recognize or know how to respond to claims of coerced debt.

Even when victims of coerced debt utilize federal statutes like the Fair Credit Billing Act (FCBA) or the Fair Debt Collection Practices Act (FDCPA) to address the credit impact of coerced debt, they encounter challenges associated with a tight statute of limitations. Both the FCBA and the FDCPA have short deadlines for consumers to exercise their rights. These deadlines generally run from the date the creditor or debt collector/debt buyer sends a statement or notice to the consumer. But, the same coercive, controlling, and abusive behavior that leads to coerced debt often prevents victims of coerced debt from exercising consumer rights under these federal statutes because they do not receive or do not have access to the statement or collection notice that triggers the timeframe in which the coerced debt victim must exercise their rights.

The most common barriers identified in the survey related to problems with the legal system. Most state and federal laws are not designed to address the problem of coerced debt.

For example, an attorney from Bay Area Legal Aid in California recalls when her client described how she would listen through the wall as her abuser impersonated her on the phone, speaking to creditors. However, the survivor could not safely contact the creditors to report the fraud until years later, after escaping the abusive relationship. Another Bay Area Legal Aid client—a survivor of elder abuse—did not receive any statements for years because the abuser set up paperless billing to go to the abuser’s email address. When the client did finally get copies of statements, the creditor claimed that she’d missed her deadline to dispute the fraudulent amounts.

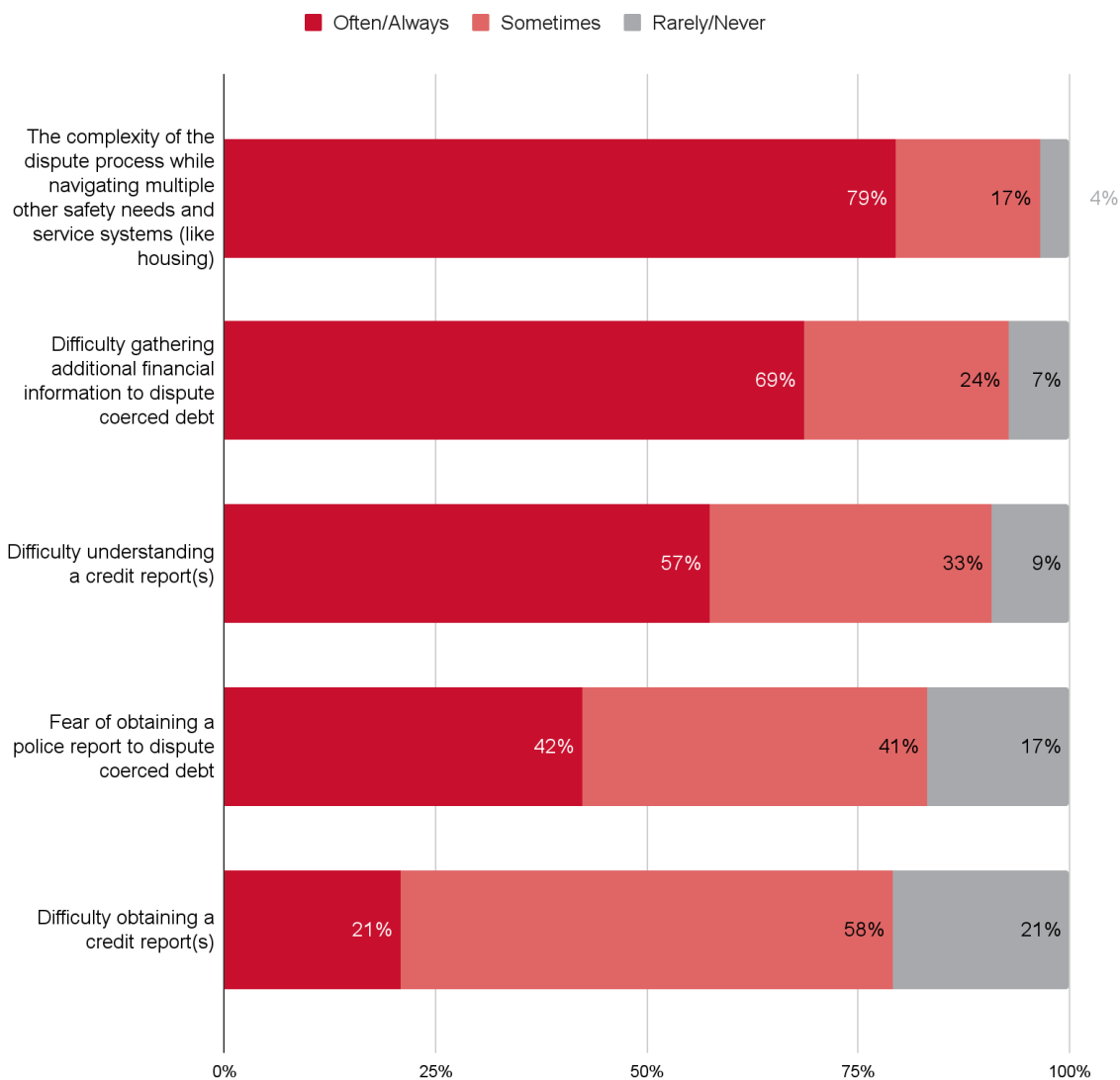
Furthermore, as the responses to the questions above demonstrate, survivors rarely know what potential legal remedies exist to address coerced debt. And even when survivors want to utilize the legal system to get relief from coerced debt, they most often will need the help of a lawyer. Compounding the issue is that survivors have limited access to legal representation due to the lack of financial resources and other pressing stressors. And survivors often cannot find attorneys who understand both consumer law and domestic violence dynamics.

B. Barriers Experienced *Before* Disputing Coerced Debt

SURVEY QUESTION: How often do survivors you work with face the following barriers before disputing coerced debt with credit reporting agencies? (1=Rarely/ Never, 2=Sometimes, 3=Often/Always)

- Difficulty obtaining a credit report(s)
- Difficulty understanding a credit report(s)
- Fear of obtaining a police report to dispute coerced debt
- Difficulty gathering additional financial information to dispute coerced debt
- The complexity of the dispute process while navigating multiple other safety needs and service systems (like housing)
- Other_____

Figure 8: Frequency of Barriers Encountered by Survivors *Before* Disputing Coerced Debt (%)



As shown in [Figure 8](#), **96.75%** of respondents identified that survivors sometimes, often, or always experience **navigating the complexity of the dispute process while navigating multiple other safety needs and service systems (like housing)** as a barrier to disputing coerced debt. Respondents reported the following:

Most of the survivors I've worked with are overwhelmed by their situations and don't want to add more to their plates by going through the processes of blocking or removing the coerced debt. By the time we get them stabilized enough that they want to pursue it, they've found other solutions. **(Indiana)**

It seems like such a daunting task when dealing with other more pressing issues (i.e. custody, safety planning, relocation) that it (disputing coerced debt) is often de-prioritized in favor of other more urgent needs. **(Pennsylvania)**

[Figure 8](#) also highlights that **92.86%** of respondents reported that survivors sometimes, often, or always had **difficulty gathering additional financial information** to dispute coerced debt. Respondents commented:

Survivors face challenges getting the coerced debts acknowledged by credit reporting agencies and obtaining supportive documents. They need someone to advocate for them. **(California)**

We try to use the FTC Identity Theft report format rather than filing police reports. That should be sufficient, but credit reporting agencies are reluctant to treat the disputes as legitimate without the police report. **(North Carolina)**

90.78% of respondents reported that survivors sometimes, often, or always had **difficulty understanding a credit report**. Respondents provided the following comments:

Most if not all of our clients do not have any financial literacy, do not understand the importance of credit, or having clean records...Most of the time our clients don't understand why it's important to not have things in collections as that has been a factor their entire life. **(Texas)**

A lot of the challenges I have experienced with survivors arise because survivors may not understand the system ... It's not like the CRAs are going to help the survivors through the process, and in fact may instead provide just enough information to be unhelpful. **(California)**

Individuals with disabilities ... are uniquely vulnerable to coercion and may face barriers to understanding and participating in the process. **(New York)**

Immigrants lack an understanding on how debt and credit reporting works. **(Pennsylvania)**

83.22% of respondents reported that survivors sometimes, often, or always **fear obtaining a police report** to dispute coerced debt. As part of the dispute process, CRA's and creditors often require a police report. Respondents commented:

Most survivors do not go to the police or get restraining orders because they know that this would endanger them further. If these documents are required, this will exclude [most] of survivors from access to these protections. **(Vermont)**

Survivors who are uncomfortable filing a police report often have a much more difficult time obtaining blocking or even removing coerced debt from credit reports. We routinely assist clients with preparing an FTC Identity Theft report to include with their dispute/blocking demand but CRAs will routinely refuse to block with this identity theft report. For coerced debt that doesn't fall into the definition of ID theft, it is more challenging. **(Bay Area, California)**

My clients who are survivors are usually able to get the debts that have progressed to secondary collection (i.e. junk debt buyers) to cease collection if they avail themselves of the FTC identity theft affidavit process in disputing via the credit reporting agencies prior to when a collection lawsuit is filed. However, primary creditors are much less likely to accept these reports as legitimate and will thus verify the debts when the survivor disputes them to the credit reporting agencies. It can be very difficult to get the survivor to make the police report, which carries more weight with the agencies and furnishers. **(North Carolina)**

One client of ours never reported the domestic violence during her marriage because of fears that she would not be taken seriously. She was hesitant to dispute the debt during a lawsuit or file a dispute with the credit reporting agencies. Her lawsuit with a creditor is ongoing. **(North Texas)**

We try to use the FTC Identity Theft report format rather than filing police reports. That should be sufficient, but credit reporting agencies are reluctant to treat the disputes as legitimate without the police report. **(North Carolina)**

79.13% of respondents reported that survivors sometimes, often, or always had **difficulty obtaining a credit report**. Respondents commented:

Various credit reporting agencies' staff are often rude, short tempered, and hard to understand efforts to speak adequate English. **(Michigan)**

Survivors face difficulty navigating credit reports due to technical difficulties. **(California)**

People with limited language access face significant barriers. They cannot even access their credit reports through annualcreditreport.com in their own language. **(California)**

It is challenging for clients to request a credit report on their own and then review the credit report for inaccuracies. Many clients from immigrant communities are unable to request their reports online because their names seem to be entered incorrectly within CRA databases. Clients often use third party apps, like credit karma, without realizing that credit karma is not the credit reporting agencies... and it is often difficult to receive mail because many are in the process of moving.” (Massachusetts)

Background Information for Figure 8: Barriers Encountered by Survivors Before Disputing Coerced Debt

The responses above demonstrate many of the obstacles a victim of coerced debt encounters before disputing coerced debt with a consumer reporting agency. A victim of coerced debt needs to obtain a copy of their consumer report,²² and there are many types of consumer reports and consumer reporting agencies. The FCRA requires that the three nationwide consumer reporting agencies— Experian, Equifax, and TransUnion (referred to as credit reporting agencies in the survey and CRAs throughout this report), allow consumers to obtain one free copy of their consumer report (referred to as credit report in the survey and throughout this report) every 12 months. The most common way to obtain these reports is online at www.annualcreditreport.com.

But, as shown above, **almost 80%** of the survey respondents indicated they had **difficulty obtaining a credit report**. Victims of coerced debt have trouble accessing online credit reports for a variety of reasons. One reason may be that they do not answer security questions correctly because they do not know about coerced debt accounts. Another reason may be that their address changed when they fled an abusive situation and will need to send in a written request to confirm their identity. They may lack identification documents (such as a driver’s license or a state-issued ID) because they fled their home due to abuse and/or their identification documents have addresses that don’t match their current address. They may be living temporarily at a shelter, or even have a protected or confidential address, and they may not want to list that address because it will likely appear on their credit report.

Immigrant victims of coerced debt face unique challenges to obtaining consumer credit reports stemming from the lack of a Social Security Number (SSN), common last names, or multiple changes in mailing address. If an immigrant victim of coerced debt does not have a Social Security Number (SSN), they will be unable to get their credit report online. Even though financial institutions open credit lines using an Individual Taxpayer Identification Number (ITIN), victims of coerced debt with ITINs are unable to request their credit reports

online through www.annualcreditreport.com, despite the fact that an ITIN has the same number of digits as a SSN. ITIN holders wishing to check their credit reports must go through the lengthy process of requesting their reports via mail with each CRA separately. And each nationwide CRA may have its own identification requirements to verify consumer identity.

Transgender victims of coerced debt also face challenges when attempting to obtain a consumer credit report. A transgender individual may be prevented from accessing a credit report or information about a coerced debt account because the name/gender marker of the individual is not consistent with the records of the financial institution for the owner of that account. The CRA or furnisher is unable to verify that the transgender individual is the person named on the account, and therefore, the transgender individual may be denied access to a credit report or information from a furnisher. Additionally, a legal name change for many transgender and gender nonbinary people may result in multiple credit histories under multiple names or an erasure of years of credit history.

To compound the problem, victims of coerced debt who are unable to get their credit reports online often receive vague notices in response to their requests for a credit report. The response letter will say the consumer either does not have a credit file with the nationwide CRA or they submitted insufficient identification. These are two very different things, and the response by a victim of coerced debt will depend on which of these is true— whether they have no file or whether they just cannot access it because they don't have sufficient ID.

90% of respondents indicated that the survivor sometimes, often, or always had difficulty understanding a credit report.

Assuming a victim of coerced debt is finally able to obtain a copy of their consumer credit report, they must then decipher the report to determine where the report contains inaccurate information that resulted from the coerced debt. As [Figure 8](#) above reveals, **90%** of respondents indicated that the survivor sometimes, often, or always had *difficulty understanding a credit report*.

Credit reports can be several pages long, filled with dense data about multiple accounts, payment histories, and inquiries. The sheer volume of information makes it difficult for victims of coerced debt to identify errors or problematic items quickly. Additionally, Equifax, Experian, and TransUnion format the consumer credit reports differently, which can further confuse victims of coerced debt trying to compare information or spot discrepancies across reports.

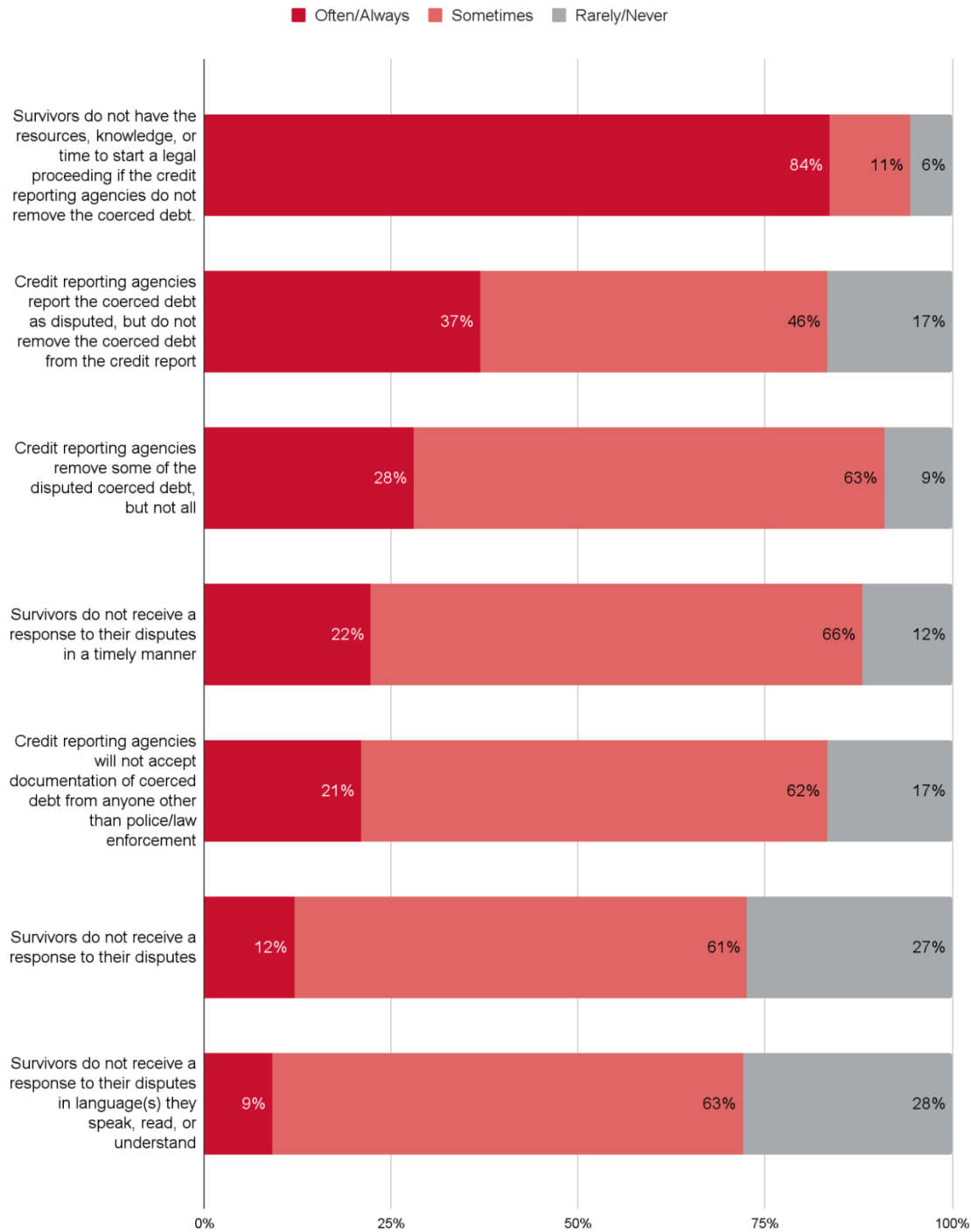
Language barriers may also prevent a survivor from understanding the report. As [Figure 7](#) showed, **87.31%** of respondents reported **no or insufficient language access** as a general barrier to obtaining relief of coerced debt. Two of the three nationwide CRAs, Experian and TransUnion, do not offer access to credit reports in any language besides English. Equifax, the only nationwide CRA that offers translated reports, now offers credit reports in English and Spanish. Providing English-only credit reports compromises the confidentiality of those reports as LEP survivors are forced to rely on third parties to translate the reports. It also leads to an unfair likelihood that the information contained in the report will be misunderstood by the survivor and can be expected to lead to higher rates of long-term unresolved consumer reporting errors and reporting inaccuracies among LEP survivors facing coerced debt.

C. Barriers Experienced *After* Disputing Coerced Debt

SURVEY QUESTION: How often do survivors you work with face the following barriers after disputing coerced debt with credit reporting agencies? (1=Rarely/Never, 2=Sometimes, 3=Often/Always)

- Survivors do not receive a response to their disputes
- Survivors do not receive a response to their disputes in a timely manner
- Survivors do not receive a response to their disputes in language(s) they speak, read, or understand
- Credit reporting agencies will not accept documentation of coerced debt from anyone other than police/law enforcement
- Credit reporting agencies report the coerced debt as disputed, but do not remove the coerced debt from the credit report
- Credit reporting agencies remove some of the disputed coerced debt, but not all
- Survivors do not have the resources, knowledge, or time to start a legal proceeding if the credit reporting agencies do not remove the coerced debt.
- Other _____

Figure 9: Frequency of Barriers Encountered by Survivors After Disputing Coerced Debt (%)



As seen in [Figure 9](#), **94.35%** of respondents reported that sometimes, often, or always, **survivors do not have the resources, knowledge, or time to start a legal proceeding if the credit reporting agencies do not remove the coerced debt**. Respondents provided the following comments:

Systems are set up in a way that are purposefully difficult to navigate and/or may cost additional funds to procure, i.e. legal fees, attorneys, etc. **(Illinois)**

I had a mother call who wanted financial compensation for almost \$20k in credit card debt her ex had racked up. Since the criminal case wasn't proceeding, restitution wasn't an option. She wanted to sue him, which is not something we assist with. We recommended small claims as being easier for pro se clients though she'd be forgoing about half of the money then. There is not a lot of funding to support survivors with this type of issue. **(Wisconsin)**

Our rural agency does not have legal or specialized expertise to help survivors navigate the process of disputing coerced debt. We work with clients for a limited amount of time, typically three months or less, and the process of disputing coerced debt takes much longer than that. It's difficult for survivors to find a reputable, affordable option for help. A survivor came to our shelter and paid a debt consolidation company more money than the actual amount of the debt itself. Because she had a mild intellectual disability, they were easily able to convince her that they were providing her a worthwhile service by taking her monthly payments; however not a single penny of the money she paid went to the debt itself. **(Nevada)**

[Survivors] do not have money to hire a lawyer or the time to dispute the debt. **(Arizona)**

Most if not all of our clients do not have any financial literacy, do not understand the importance of credit, or having clean records. **(North Texas)**

It seems complicated and often in English which can be very overwhelming and intimidating for someone fleeing for their life. **(California)**

90.86% of respondents reported that sometimes, often, or always **credit reporting agencies remove some of the disputed coerced debt, but not all**. Responders commented:

One survivor tried to dispute debts with creditors as coerced debt but because it was debt by coercion, they said she authorized the debts. **(Michigan)**

A client who was in a same-sex marriage was denied in a credit reporting dispute, despite the existence of a police report, inconsistent contact information, and affidavit from the abuser regarding the coerced debt, based on the fact the original credit card application contained the same address as the client. **(Maine)**

83.33% of respondents reported that sometimes, often, or always **credit reporting agencies report the coerced debt as disputed, but do not remove the coerced debt from the credit report**. One respondent commented:

I attempted to block coerced debt on my report. I submitted police reports, divorce documents, and financial reports. The credit bureaus would add a note to the debt, but would not block it. My credit score that had always been in the 800s dipped into the 500s because the ex stopped paying the mortgage on the house he got in the divorce and was supposed to refinance, but never did. I had to spend 10s of thousands of dollars to fight him in court for contempt for not paying child support. His lack of paying support was my outlet to force the sale of the property and finally get out from under him. If he had paid child support, he would have let the house foreclose, and it would have been on my report for 7 years. The system is broken and doesn't care about abuse survivors. **(Alaska)**

83.24% of respondents reported that sometimes, often, or always **credit reporting agencies will not accept documentation of coerced debt from anyone other than police/law enforcement**. Respondents wrote:

The credit reporting agencies still largely rely on the furnishing creditor to give them the OK to delete/block accounts as identity theft transactions...Primary creditors are much less likely to accept [FTC] reports as legitimate and will thus verify the debts when the survivor disputes them to the credit reporting agencies...It can be very difficult to get the survivor to make the police report, which carries more weight with the agencies and furnishers. **(North Carolina)**

Survivors who are uncomfortable filing a police report often have a much more difficult time obtaining blocking or even removing coerced debt from credit reports. We routinely assist clients with preparing an FTC Identity Theft report to include with their dispute/blocking demand but CRAs will routinely refuse to block with this identity theft report. For coerced debt that doesn't fall into the definition of ID theft, it is more challenging. **(California)**

We try to use the FTC Identity Theft report format rather than filing police reports. That should be sufficient, but credit reporting agencies are reluctant to treat the disputes as legitimate without the police report. **(North Carolina)**

72.57% of respondents reported that sometimes, often, or always **survivors do not receive a response to their disputes**. Respondents commented on the difficulties involved:

A major barrier is the cost of disputing - sending dispute/block letters (especially multiple rounds of letters when a negative or no response is received) by certified mail is extremely expensive for individuals on a limited income. **(New York)**

It is difficult for survivors to receive mail at their home address, because many of them are in the process of moving. This further slows down the dispute process when they are not receiving their documents. **(Massachusetts)**

72% of respondents report that sometimes, often, or always **survivors do not receive a response to their disputes in language(s) they speak, read, or understand.**

Recent immigrants and others with limited English proficiency have greater challenges navigating dispute processes because most of the available information about how to do this is in English. This community also has a unique risk of incurring coerced debt if the contract or other information about the transaction is in English, while the explanation is in another language. **(California)**

Individuals with disabilities, particularly I/DD [Intellectual and/or Developmental Disabilities], are an underserved population. They are uniquely vulnerable to coercion and may face barriers to understanding and participating in the process. **(New York)**

Various credit reporting agencies staff are often rude, short tempered and hard to understand efforts to speak adequate English. **(Michigan)**

Immigrants have a lack of familiarity with the legal system, lack of understanding on how debt and credit reporting works, and language barriers. **(Pennsylvania)**

Background Information for [Figure 9: Barriers Encountered by Survivors After Disputing Coerced Debt](#)

Once a victim of coerced debt has obtained and reviewed their credit report to identify the impact of coerced debt on the report— for example, finding accounts opened or used by the abuser, whether through fraud or under coercion or duress, they can submit a dispute of that “inaccurate information” with a consumer reporting agency (CRA). The survivor must submit a dispute to each CRA reporting the inaccurate information.

After a CRA receives a dispute letter from a victim of coerced debt, it is required to conduct a “reasonable investigation” (called a “reinvestigation” under the Fair Credit Reporting Act²³) in response to the survivor’s dispute. Courts have consistently adopted the “reasonable investigation” standard to require that the furnisher conduct a substantive inquiry, “to determine whether the disputed information can be verified.”²⁴ At the conclusion of the reinvestigation, the CRA will: (1) update any inaccurate information to reflect what should be reported (for example, if the disputed amount of debt on an account was incorrect); (2) verify the information is accurately reported (for example, if the dispute is denied); or (3) delete the inaccurate information (e.g., if the disputed information is determined not to belong to the victim of coerced debt, for example, in cases of identity theft). The FCRA details deadlines for conducting the reinvestigation and specifying what notifications should be provided to a consumer by the CRA.²⁵

However, disputing coerced debt on a credit report is especially difficult because existing credit reporting and consumer protection laws were not designed to recognize debts incurred through abuse, fraud, or coercion. Bay Area Legal Aid in California regularly hears from domestic violence and elder abuse survivors who face pushback from financial institutions when they try to dispute debt that abusers incurred in their names. Advocates have seen creditors deny fraud disputes and verify debts to the CRAs because the consumer shared an address with the abuser, assuming from this fact that the survivor actually received account statements and must have been aware of the unauthorized charges or accounts opened in their name.

Disputing coerced debt on a credit report is especially difficult because existing credit reporting and consumer protection laws were not designed to recognize debts incurred through abuse, fraud, or coercion.

Legal aid attorneys from California and Texas have also seen creditors deny disputes and verify debts based on account activity, claiming that the disputed charges are consistent with the survivor’s own account activity. However, it is consistent with economic abuse that an abuser would make charges at the same store as the survivor or that the abuser would live at the same address as the survivor. Yet these are common reasons CRAs and furnishers disregard a coerced debt victim’s identity theft claim. One Bay Area Legal Aid (California) client had tried calling her bank when she first learned that her credit card balance was much higher than it should have been. When the customer service person described some of the charges, the client wondered aloud if her boyfriend had used her card. Because the likely suspect for the unauthorized charges was the client’s boyfriend, the customer service

person did not open a dispute for her. Later, in litigating the ensuing collection case—where the client asserted a defense of identity theft and economic abuse—lawyers for the bank pointed to this phone call to argue that the client had accepted responsibility for her abusive partner’s charges.

Many former clients of Texas RioGrande Legal Aid (TRLA) had similar stories. One TRLA client had to resort to litigation to resolve a dispute on a coerced debt account with Wells Fargo because they kept insisting she opened the credit account she was disputing. The credit card account was linked to a joint bank account the survivor and her abusive husband shared. In reality, the survivor never had access to the joint bank account except for when her abusive husband allowed her possession of the debit card. She would only be allowed to use the debit card for a limited time and purpose, and then she had to return the card to him. The only reason the joint account was also in her name was because she was the sole income earner and he forced her to have her paychecks deposited into that account for his sole control. Wells Fargo maintained that because her name was on the joint bank account as well as the linked credit card account she must have obtained goods and services and benefited from the transactions.

When investigating disputes from coerced debt victims, consumer reporting agencies and creditors typically require extensive documentation to prove that a debt is fraudulent, such as police reports, identity theft affidavits, or court judgments—documents many victims of coerced debt cannot safely or easily obtain.

A survey of National Domestic Violence Hotline callers showed that a majority of domestic violence survivors have concerns about contacting the police for assistance and were also concerned about reaching out to them in the future. They expressed a fear that the police would do nothing, that the abusive partner would be arrested but ultimately nothing would happen to the partner, or that the police would arrest them or they would be reported to Child Protective Services.²⁶ As shown in [Figure 8](#), **83.22%** of respondents reported that survivors sometimes, often, or always **fear obtaining a police report** to dispute coerced debt.

83.22% of respondents reported that survivors sometimes, often, or always fear obtaining a police report to dispute coerced debt.

Communities of color may be less likely to access law enforcement due to the disproportionately negative impact of the criminal justice system on their communities. Similarly, immigrant survivors may be unwilling to seek a police report given fears of deportation or other risks to their immigration status.

Legal aid attorneys from California, Texas, and New York heard from victims of coerced debt who attempted to go through the required steps of filing a police report only to have the police refuse to take down the report or to take down incomplete or incorrect information. Many Texas advocates have found that some police departments refuse to accept an identity theft report for debts incurred within the context of an abusive intimate partner relationship. In fact, one former Texas RioGrande Legal Aid attorney representing a survivor facing coerced debt had to file a complaint on behalf of her client to the chief of police of El Paso. The survivor had attempted to file a police report on identity theft, but the responding police officer refused to take down the report; contacted the survivor's abuser even after she informed the officer that she feared for her safety and that of her daughter who had been sexually assaulted by the abuser; and accused the survivor of lying to the officer and threatened to charge her with perjury.

Before the passage of California's coerced debt law, an attorney with Bay Area Legal Aid met with a woman who had just left her abusive husband after he threatened her and the children with a firearm. While searching for a place to live, she checked her credit and discovered coerced debt. She had not been aware of some of the accounts, and there were others she previously knew about but over which she had no control. All accounts were opened by her ex-husband, and he would not let her keep a physical card or open any of the mail that came to the house. Therefore, she never saw the statements. Her abuser would hand her a credit card to use when she was going to buy groceries and then take it back after the shopping trip. After discovering that her abuser had stolen her identity and opened accounts in her name, the survivor tried to make a police report. The police would not process it online because she named a suspect. When she went in person, the officer refused to take her report because the suspect was her husband, and the officer

said that a spouse "cannot steal your identity." Bay Area Legal Aid assisted her with submitting a Federal Trade Commission (FTC) identity theft report, and after working with her on many rounds of disputes, she was finally able to get the accounts closed and removed from her credit.

In some jurisdictions, it may be logistically challenging to file a police report about identity theft, especially when the victim of coerced debt knows the person who used their identity without permission.

In some jurisdictions, it may be logistically challenging to file a police report about identity theft, especially when the victim of coerced debt knows the person who used their identity without permission. For example, in San Francisco, survivors facing coerced debt have been told they can only file a report of identity theft in person, at a particular location. CAMBA Legal Services in New York City reports that the police have repeatedly required

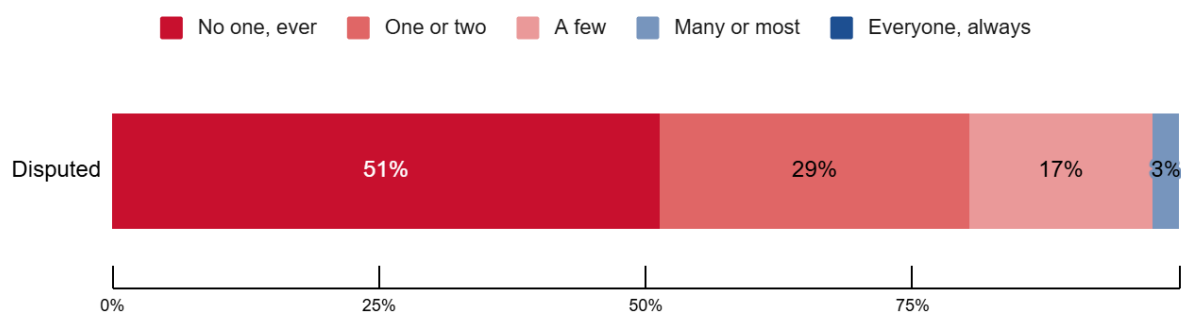
survivors to provide documentation of the alleged identity theft that is difficult or even impossible for the survivor to obtain, such as sworn affidavits from financial institutions and receipts from fraudulent transactions. The Legal Aid Society (NY) has worked with survivors in New York City who have struggled immensely to obtain a police report because they have been repeatedly denied a police report and instructed to go back and forth from one precinct to another, resulting in additional costs to the survivor such as time off work, childcare costs, and transportation.

D. Ability to Successfully Dispute Coerced Debt

SURVEY QUESTION: Have any survivors you worked with successfully disputed coerced debt with credit reporting agencies? [This would mean the coerced debt was removed from the credit report.]

- No one, ever
- One or two
- A few
- Many or most
- Everyone, always
- N/A - I don't provide direct advocacy / services

Figure 10: Number of Survivors Who Successfully Disputed Coerced Debt with Credit Reporting Agencies (%)



[Figure 10](#) highlights how difficult it is for victims of coerced debt to successfully dispute and resolve inaccuracies due to the coerced debt with CRAs. 97% of respondents said “no one, ever” to “a few” victims of coerced debt have ever been successful in disputing the coerced debt.

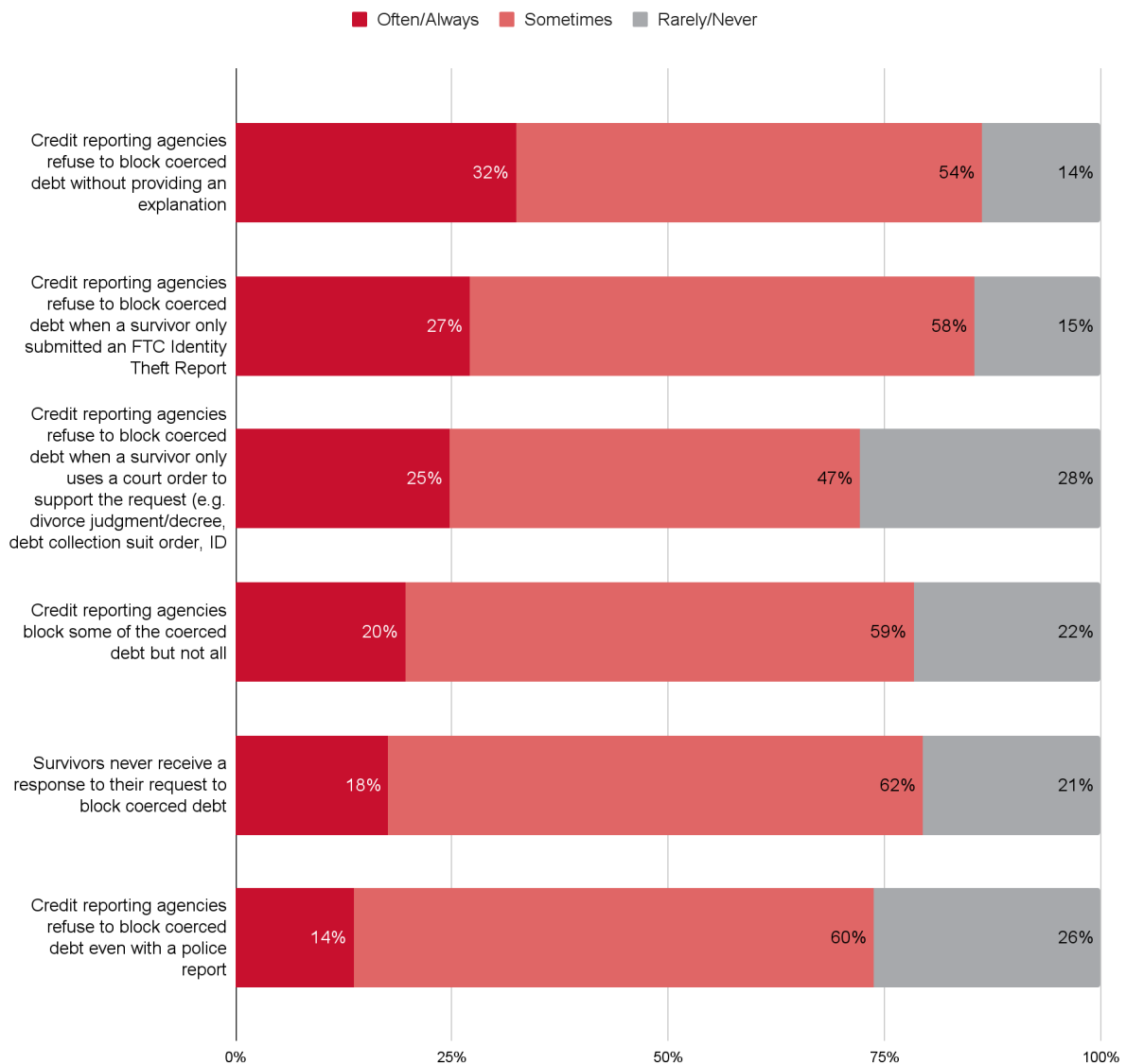
In practice, it often takes multiple disputes with the CRAs to ensure that the report of a victim of coerced debt is accurate. Reinvestigation results can appear confusing or incomplete. Even though the CRAs are supposed to include a copy of a revised credit report with the reinvestigation results, they often do not include it, especially when CRAs send multiple responses to the victim of coerced debt (several letters) regarding each request made in the dispute letter.

E. Barriers to Blocking Coerced Debt

SURVEY QUESTION: What barriers do survivors experience when requesting a block to prevent coerced debt from appearing on their credit report? (1=Rarely/Never, 2=Sometimes, 3=Often/Always)

- Survivors never receive a response to their request to block coerced debt
- Credit reporting agencies refuse to block coerced debt without providing an explanation
- Credit reporting agencies refuse to block coerced debt even with a police report
- Credit reporting agencies refuse to block coerced debt when a survivor only submitted an FTC Identity Theft Report
- Credit reporting agencies refuse to block coerced debt when a survivor only uses a court order to support the request (e.g. divorce judgment/decreed, debt collection suit order, ID theft order)
- Credit reporting agencies block some of the coerced debt but not all
- Other_____

Figure 11: Barriers Survivors Experience When Requesting a Block (%)



As seen in [Figure 11](#), **86.27%** of respondents reported that sometimes, often, or always **credit reporting agencies refuse to block coerced debt without providing an explanation**. Respondents provided the following comments:

One survivor tried to dispute debts with creditors as coerced debt but because it was debt by coercion, they said she authorized the debts. I have tried to help her get the debt blocked on her credit report but have faced a barrier getting our coalition authorized by a state agency [under the applicable law]. **(Michigan)**

A client's husband had forged her name on his student loan documents. She discovered the loan and the forgery during their divorce proceedings. She filed a report with the police and the FTC, then submitted the reports to the credit reporting agencies. They refused to block the student loan. **(Washington, D.C.)**

Many clients took out massive amounts of debt through marriage to their abuser. It was very hard to dispute as not a typical marital debt. **(Indiana)**

No one that we have worked with has ever been able to be cleared from the debt that was accrued. Even with legal representation, they have been advised by their attorney that nothing can be done. **(Illinois)**

I am a survivor myself and attempted to block coerced debt on my report. I submitted police reports, divorce documents, and financial reports. The credit bureaus would add a note to the debt, but would not block it. My credit score that had always been in the 800s dipped into the 500s because the ex stopped paying the mortgage on the house he got in the divorce and was supposed to refinance, but never did. I had to spend 10s of thousands of dollars to fight him in court for contempt for not paying child support. **(Alaska)**

85.41% of respondents reported that sometimes, often, or always **credit reporting agencies refuse to block coerced debt when a survivor only submitted an FTC Identity Theft Report**. Respondents commented:

Survivors who are uncomfortable filing a police report often have a much more difficult time obtaining blocking or even removing coerced debt from credit reports. We routinely assist clients with preparing an FTC Identity Theft report to include with their dispute/blocking demand but CRAs will routinely refuse to block with this identity theft report. **(California)**

We try to use the FTC Identity Theft report format rather than filing police reports. That should be sufficient, but credit reporting agencies are reluctant to treat the disputes as legitimate without the police report. **(North Carolina)**

Despite what the law says they should do, the credit reporting agencies still largely rely on the furnishing creditor to give them the OK to delete/block accounts as identity theft transactions. My clients who are survivors are usually able to get the debts that have progressed to secondary collection (i.e. junk debt buyers) to cease collection if they avail themselves of the FTC identity theft affidavit process in disputing via the credit reporting agencies prior to when a collection lawsuit is filed. However, primary creditors are much less likely to accept these reports as legitimate and will thus verify the debts when the survivor disputes them to the credit reporting agencies. **(North Carolina)**

79.41% of respondents reported that sometimes, often, or always **survivors never receive a response to their request to block coerced debt**. Respondents commented on the difficulties involved:

A major barrier is the cost of disputing - sending dispute/block letters (especially multiple rounds of letters when a negative or no response is received) by certified mail is extremely expensive for individuals on a limited income. **(New York)**

It is difficult for survivors to receive mail at their home address, because many of them are in the process of moving. This further slows down the process when they are not receiving their documents. **(Massachusetts)**

78.35% of respondents reported that sometimes, often, or always **credit reporting agencies block some of the coerced debt, but not all.**

72.16% of respondents reported that sometimes, often, or always **credit reporting agencies refuse to block coerced debt when a survivor only uses a court order to support the request (e.g. divorce judgment/decree, debt collection suit order, ID theft order).**

One survivor wrote: I attempted to block coerced debt on my report. I submitted police reports, divorce documents, and financial reports. The credit bureaus would add a note to the debt, but would not block it. **(Alaska)**

73.78% of respondents reported that sometimes, often, or always **credit reporting agencies refuse to block coerced debt even with a police report.** An advocate responded:

A client's husband had forged her name on his student loan documents. She discovered the loan and the forgery during their divorce proceedings. She filed a report with the police and the FTC, then submitted the reports to the credit reporting agencies. They refused to block the student loan. **(Washington, D.C.)**

Background Information for [Figure 11](#): Barriers Survivors Experience When Requesting a Block

A powerful protection under the FCRA available only to identity theft victims is the identity theft block. The three nationwide consumer reporting agencies (TransUnion, Experian, and Equifax) must block identity theft-related debt from the file of a survivor.²⁷

In order to activate the block, a victim of coerced debt must provide the following to a CRA: a letter explicitly requesting an identity theft block and explaining what information is fraudulent as a result of the identity theft; proof of identity; and a copy of an identity theft report.

To qualify as an “identity theft report” under the FCRA, the report must meet the following criteria: (1) allege identity theft with as much specificity as the consumer can provide; (2) be a copy of an official, valid report filed by the consumer with a law enforcement agency; and (3) expose the consumer to criminal penalties relating to the filing of false information if the information in the report is false.

After a victim of coerced debt sends the identity theft report with the letter requesting the identity theft block, a CRA or a furnisher (the creditor or other entity reporting the debt to the CRA), may require the report to include “additional information” to determine the validity of the “alleged identity theft.” The CRA or the furnisher must make that request within fifteen days of receiving the report.

If a CRA accepts the identity theft report, it must block the fraudulent information the consumer has identified within four business days after accepting the identity theft report. A CRA must also notify the furnishers of the fraudulent information: (1) that the information furnished may be a result of identity theft; (2) that the victim has filed an identity theft report; (3) that a block has been requested; and (4) the effective dates of the block.

However, a CRA may refuse to block the information or it may remove an existing block if it reasonably determines that the consumer: (1) has not told the truth (made a material misrepresentation of fact) relevant to the request to block; (2) the information was blocked in error or the block was requested by the consumer in error; or (3) the consumer obtained possession of goods, services, or money as a result of the transactions identified in the blocking request.

Because a victim of coerced debt must obtain an identity theft report to request an identity theft block, they often find the process of obtaining an identity theft block more burdensome than disputing coerced debt, particularly if the CRA requires a police report.

83.22% of respondents reported that survivors sometimes, often, or always fear obtaining a police report to dispute coerced debt.

As previously shown in [Figure 8](#) and its summary, victims of coerced debt have great difficulty obtaining police reports to support a claim for identity theft within the context of coerced debt. **83.22%** of respondents reported that survivors sometimes, often, or always **fear obtaining a police report to dispute coerced debt**. To make matters worse, as shown in [Figure 11](#), **even when a victim of coerced debt provides a police report, CRAs still refuse to block coerced debt**, according to **73.78%** of respondents.

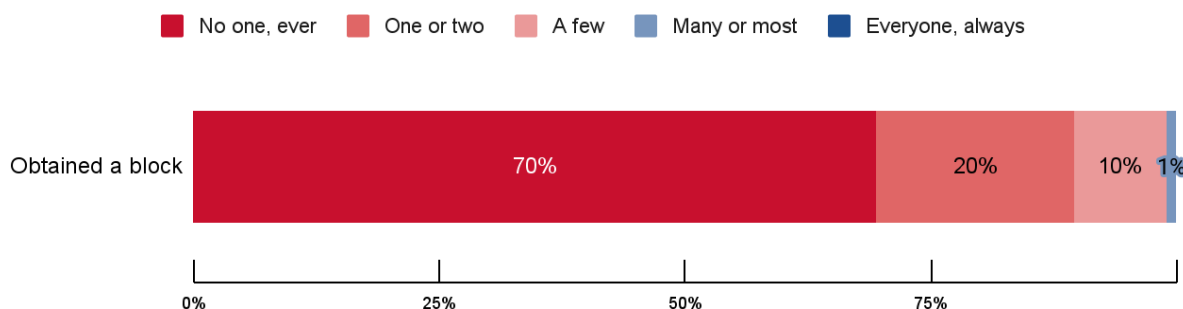
One additional hurdle is the ability for a CRA to refuse to block information resulting from identity theft if the victim of coerced debt obtained possession of goods, services, or money as a result of the transactions identified in the blocking request. If the victim of coerced debt resided with the abuser at the time of the transactions, furnishers may argue that the survivor obtained possession of the goods purchased, the services performed, or the money utilized by the household.

F. Ability to Successfully Obtain a Block of Coerced Debt

SURVEY QUESTION: Have any survivors you worked with successfully obtained a block of coerced debt from the credit reporting agencies? [This would mean the coerced debt no longer appears on the credit report.]

- No one, ever
- One or two
- A few
- Many or most
- Everyone, always
- N/A - I don't provide direct advocacy / services

Figure 12: Number of Survivors Who Successfully Obtained a Block of Coerced Debt from the Credit Reporting Agencies (%)



[Figure 12](#) highlights how difficult it is for victims of coerced debt to block coerced debt from appearing on their credit reports. **70% of respondents reported that none of the victims of coerced debt they worked with were able to receive a block for coerced debt.**²⁸

G. Survivor & Advocate Stories: Experiences, Barriers, & Outcomes with Existing Protections

SURVEY QUESTION: Share your story: Share any more details regarding your responses above and the specific barriers survivors face. For survivors who have gone through part or all of the dispute process for coerced debt, please describe their experience, barriers, and outcomes.

The CFPB's ANPRM asked for more information about populations who experience coerced debt outside of DV/survivors, including children in foster care and older Americans. Are there other populations who experience problems with coerced debt and whose experiences should be considered in the proposed rulemaking? If so, please describe any unique barriers those populations face when addressing coerced debt through existing protections.

Survey respondents provided the following comments regarding six other populations who experience problems with coerced debt and whose experiences should be considered in the CFPB's rulemaking:

1. *Immigrant and LEP Communities*²⁹

Immigrant survivors typically do not succeed with filing disputes due to anxiety or they tend to tackle it on their own. **(Indiana)**

Many clients from immigrant communities are unable to request their reports online because their names seem to be entered incorrectly within CRA databases. Clients often use third party apps, like credit karma, without realizing that credit karma is not the credit reporting agencies. Creating and sending disputes is a time-intensive process. It is difficult for survivors to receive mail at their home address, because many of them are in the process of moving. This further slows down the dispute process when they are not receiving their documents. **(Massachusetts)**

Specifically, our office has noted more women of color who are vulnerable to coerced debt. This includes immigrants who may not have legal status in the US. **(New York)**

South Asian Survivors - Cultural Conditioning about money makes it already a very difficult topic for survivors to ask questions and be assertive. The whole process of removing debt can be very scary and not easily approachable. Many of them are also on Immigrant visas and worried about their immigration consequences to any step. **(California)**

Recent immigrants and others with limited English proficiency have greater challenges navigating dispute processes because most of the available information about how to do this is in English. This community also has a unique risk of incurring coerced debt if the contract or other information about the transaction is in English, while the explanation is in another language. **(California)**

Immigrants- lack of familiarity with the legal system, lack of understanding on how debt and credit reporting works, language barriers, plus just plain "desperation" make them a vulnerable population. **(Pennsylvania)**

I believe immigrants who cannot speak the language and indigenous peoples have unique issues when it comes to coerced debt. **(Alaska)**

2. Individuals with Disabilities³⁰

I met a mother in court who had guardianship of her adult daughter who had many serious disabilities. Her father had used the daughter's identity without permission to incur debt in the daughter's name. **(Massachusetts)**

Individuals with disabilities, particularly I/DD [Intellectual and/or Developmental Disabilities], are an underserved population. They are uniquely vulnerable to coercion and may face barriers to understanding and participating in the process. **(New York)**

I work with older adults and adults with disabilities who have difficulties advocating for themselves, doing follow-up steps like letter writing, online forms etc. Especially if there are capacity issues. **(California)**

Please include people with disabilities along with victims of domestic violence in your work. People with disabilities are more likely to be domestically abused than the general public, especially as they may be more dependent on others than the general public. **(North Carolina)**

People with disabilities/mental health issues. I had a woman who made a variety of claims of abuse, some of which seemed improbable. But I do think that some of them could have been happening, such as the ID theft/fraud. This population is particularly vulnerable because once they say something that seems unlikely, it calls their credibility into question for everything they say. This is what makes them easy to victimize. **(Wisconsin)**

3. Children

The children of poor families whose parents take out credit cards in their name at a young age (birth, infancy, etc.). These parents then max out the cards and hope they will fall off the record before the child is 18 (or sometimes they continue racking up as much debt as they can using the child's SSN). Some parents also coerce their 18+ children into co-signing on debts, car loans, mortgages, etc. if they have a high credit score - and sometimes they will even forge their children's signatures. ...The people I have worked with in these situations face crushing debt, sometimes tens of thousands of dollars and poor credit scores that take years and years of specialized knowledge and fighting to correct. **(Vermont)**

I think the foster care population is certainly one to consider; their coerced debt is slightly different, but it does happen, and I think helps folks understand the vulnerability of folks impacted by coerced debt even more. **(California)**

ALL children are at risk of coerced debt. Parents will prevail upon a teen or young adult to open credit lines and add the parent as an authorized user. The parent then takes the cards and is the sole user of the account and eventually defaults, leading to the now-young-adult child being subject to collection activity, negative credit reporting, and collection lawsuits. It's very difficult for these individuals, who are still often in relationships with the parent or with minor siblings who remain in the home, to make a police report because they know they are putting that parent at risk of jail time and putting minor siblings at risk of being put in foster care or at the very least being uprooted from the home to stay elsewhere. **(North Carolina)**

Many credit card companies allow children over 16 to be included or added to credit cards or allow independent credit cards. An abuser can obtain credit cards for a 16-year-old that they misuse or wait till children are just 18 years old and use the children's identity for coerced debt. **(Maine)**

The clients I have helped include young people whose parents were abusive and after the child left that bad situation, they found their credit already had negative debts, sometimes even including private "student loans"! A current client was a single mother who was abused by her only son, a young man who suffered from addiction and became scary and threatening. Now the mom is trying to deal with private student loans she signed for out of fear. Child to parent abuse is not as common but it is single mothers who deal with it the most, and the guilt they suffer as well as the fear and the continual refrain in their head of "if I just get this one thing right, everything will be good and we'll all be safe" is exactly the same as most all sufferers of abuse. Co-signing loans is the most common thing I have seen in private practice, and it is tricky as the debt collectors are vocal about going after the responsible "nice" person and not the abuser who is more difficult to deal with. Often the collection attorney wants more info, more info, more info and that not only is bringing up the trauma over and over, but also creates (a reasonable) fear for the survivor. They have separated from the abuser and may be in hiding. Even if they are not in a shelter, they often have moved at least a few counties over and their address may not be their residence. But evidence of where they live and where the abuser lives is exactly what the collectors want to "prove" things. **(Texas)**

Children and teens who are financially exploited without adequate education and resources until much later in adulthood have no course for recovery if not in foster care or involved in law enforcement matters that have affected their lives. **(California)**

... adult children with developmental disabilities who were financially abused by a parent or caretaker. **(Los Angeles, California)**

4. Victims of Human Trafficking

Human trafficking victims. One in particular was receiving SSDI and was forced to open phone accounts and credit cards under her name for her abusers. Accrued over \$30,000 in debt just for those issues. Along with the coerced debt, they also took her SSDI, which was over \$80,000 before she was able to flee. **(Illinois)**

5. Older Adults

Elderly clients have been reaching out to our shelter asking if there is anything we can do to help get their caretaker to give their bank debit card back. They report the caretakers use their bank debit for their own personal needs and not for needs. Many times a day after payday they have nothing left in the accounts. **(Los Angeles, California)**

Also, a weird area I have seen are older Americans whose relatives (children or other) are getting reverse mortgages or refinancing reverse mortgages to take money out. Sometimes this is just fraud, but often it is a younger relative who lives with them. **(Texas)**

6. Justice-Involved Individuals

Survivors who find themselves with coerced debt and have abusers who get arrested and jailed, or who leave them with the children and bills to pay, are scared, ashamed, and don't know who to trust to help them. **(Louisiana)**

Reentry citizens....those being paroled and trying to address prior debt disputes before serving time. **(Michigan)**

Background information on justice involved individuals:

According to a 2017-2018 survey of women incarcerated at an Illinois state prison, 99% of the women incarcerated have experienced physical, emotional or sexual abuse in their lives.³¹ A 2014 Survey of women incarcerated by the Texas Department of Criminal Justice³² found that:

- 52% reported that their total household income, before taxes, immediately before entering TDCJ was less than \$10,000 per year.
- 55% reported having been diagnosed with a mental illness.
- 58% reported having been sexually abused or assaulted as a child. 68% of these women were first abused when they were 10 years old or younger, with 31% being abused for the first time when they were 5 years old or younger.
- 82% reported having experienced domestic violence or dating abuse.
- 25% reported having been forced to exchange sex for money, food, or basic needs before entering TDCJ.
- 12% reported having spent time in the foster care system.
- 81% reported having children.

The conditions imposed by incarceration itself—including the limited and highly regulated contact with the outside world—compound vulnerabilities for incarcerated people, making them prime targets for financial exploitation. For instance, without access to the open internet, incarcerated people can't closely monitor their checking and savings accounts for fraudulent charges or easily review and dispute errors in their credit reports; and they cannot receive calls from financial institutions to notify them of identity theft. As previously

mentioned in this report, the delayed discovery of coerced debt and the appearance of coerced debt on a credit report can have long-term negative consequences.

Being largely cut off from the outside world can also force incarcerated people into circumstances that heighten the risk of certain consumer abuses. For example, to manage pre-existing debts, many incarcerated people provide sensitive personal information to someone outside of the correctional facility. This practice can lead to fraud if the arrangement becomes abusive. Incarceration itself also puts people at risk; correctional facility employees have abused their access to confidential records to steal incarcerated people's identities.

To manage pre-existing debts, many incarcerated people provide sensitive personal information to someone outside of the correctional facility.

If a coerced debt victim is incarcerated, then they will likely not have access to their identifying documents or account information. Oftentimes, an abusive partner has possession of the survivor's important financial and identifying documents while the survivor is incarcerated. Consequently, when survivors leave incarceration, they find themselves victims of coerced debt, as abusers open new accounts in the survivor's name without their consent, fraudulently withdraw funds from the survivor's bank account, and apply for and use credit cards without authorization while the survivor is incarcerated. Systemic barriers prevent incarcerated survivors from being able to file police reports for coerced debt.

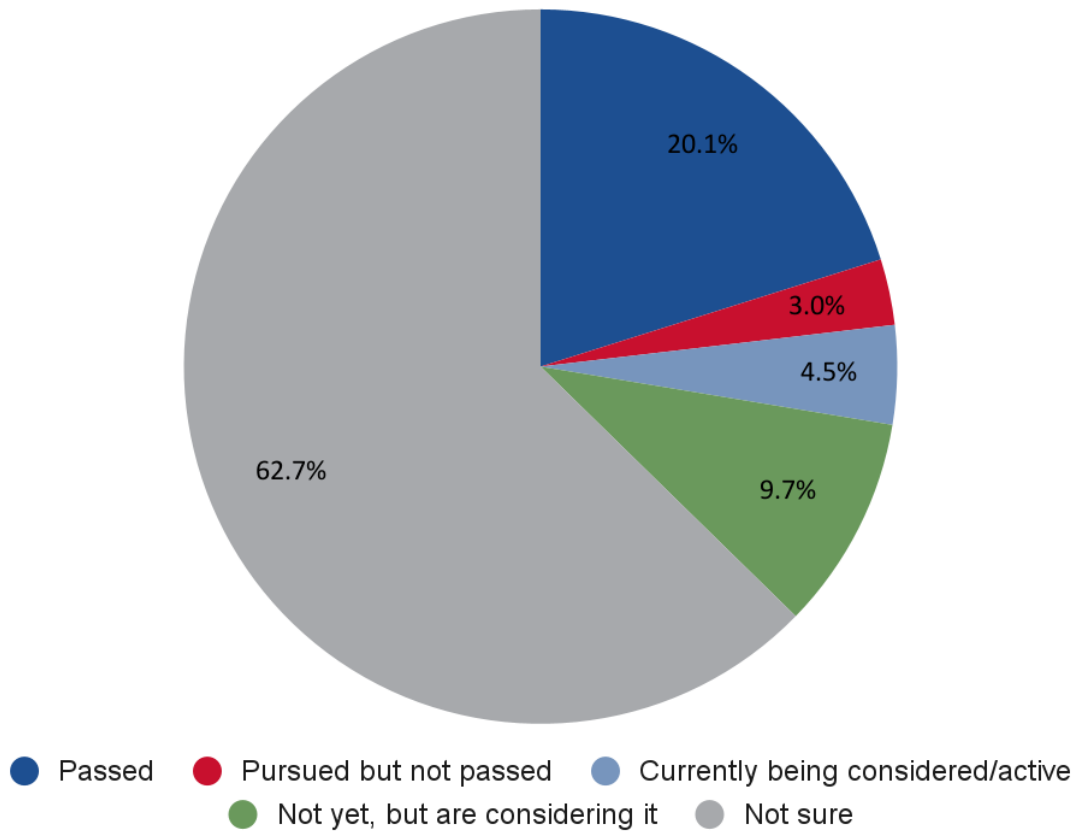
Additionally, even if a survivor does manage to discover coerced debt while incarcerated, addressing the coerced debt (i.e., obtaining a credit report, filing an identity theft report, and submitting a request to block or dispute) is especially challenging. Most incarcerated individuals lack access to the open internet. Those who do have internet access typically can only visit a small number of whitelisted webpages, which do not necessarily include the CRAs' or federal agencies' websites, preventing incarcerated people from submitting a fillable form online. While some federal agencies provide phone numbers for complaints, jails and prisons limit and restrict phone access by imposing time limits on calls and designated calling hours, prohibiting incoming calls, and requiring pre-approval of contacts and numbers. Correctional facilities also generally block toll-free numbers. Calls can also be prohibitively expensive, especially because incarcerated people are disproportionately low-income and—if they are paid at all for their work—make abysmal wages (often “pennies per hour”). Given the extensive limits on the internet and phone calls, incarcerated people often have only one option to submit a complaint without help from an outside advocate or loved one: postal mail. Yet some federal agencies do not make it clear, or fail to state in a prominent, easily findable place, that consumers can mail in their complaints.

H. State-Specific Coerced Debt Policy

SURVEY QUESTION: Has State-specific coerced debt legislation been pursued in your State?

- Pursued but not passed
- Currently being considered/active
- Passed
- Not yet, but are considering it
- Not sure

Figure 13: State-Specific Coerced Debt Legislation (%)



SURVEY QUESTION: If you are in a State that has passed State-specific coerced debt legislation:

- Were survivors able to successfully dispute coerced debt through the credit reporting dispute process before the law passed?
- Have survivors been able to more successfully dispute coerced debt through the credit reporting dispute process since the law passed? Please Include any model practices or lessons learned.

[long-form/paragraph response]

Comments from respondents included:

California's legislation just went into effect last year, and is not retroactive, so it's still too early to truly assess how well it's working. **(California)**

There are financial abuse components within our state DV laws that have been used to deal with Landlord Tenant debt, but these laws are weak and only apply in limited circumstances. Other than that, we have not passed any specific legislation on this issue. **(Washington)**

Before the law passed, survivors were not successful. After the law, survivors have been more successful, but not to a sufficient level. Debt and Credit reporting disputes still get denied for no reason or flimsy reasons, like certain account information matches the client's information. I get the impression CRAs and creditors are assessing these disputes more so as standard identity theft claims and not considering them as coerced debt ("economic abuse" under the Maine statute). **(Maine)**

Maine's 2019 law represented significant progress in addressing coerced debt, subsequent legal challenges underscore the importance of harmonizing state and federal laws and implementing comprehensive strategies to support survivors effectively. **(Maine)**

Background Information for [Figure 13](#): State-Specific Coerced Debt Legislation

Across the country, states are enacting laws— many based on the National Consumer Law Center’s Model Coerced Debt Law³³— to address coerced debt by creating legal processes, creditor obligations, and protections for survivors. Some state statutes, like those of California,³⁴ Maine,³⁵ Minnesota,³⁶ and Illinois,³⁷ define coerced debt, require creditors or collectors to pause collection when victims of coerced debt submit documentation supporting a claim of coerced debt, and make perpetrators civilly liable for coerced debt. Other state statutes, such as those of Connecticut,³⁸ Nevada³⁹, and New York,⁴⁰ prohibit creditors from holding victims responsible once the debt is confirmed as coerced. Delaware⁴¹ allows courts to issue an order finding that debts were incurred through abuse, providing strong evidence for credit disputes. Texas⁴² provides relief for victims of coerced debt through its identity theft and debt collection statutes.

Several states extend protections to vulnerable adults, such as Oregon⁴³ and Florida⁴⁴, whose financial abuse statutes could be applied to coerced debt in certain circumstances. A law in Nebraska enacted in 2023 prohibits health care providers, emergency medical services providers, labs, or pharmacies providing medical services related to the examination or treatment of injuries from sexual assault, domestic assault, or child abuse from referring debts to a collection agency or an attorney for a collection agency.⁴⁵ These laws collectively aim to remove abusive financial burdens, restore credit, and hold perpetrators accountable, filling gaps in federal consumer protection frameworks.

SURVEY QUESTION: If you are in a State that does NOT have specific coerced debt laws, how do you work to address barriers survivors face with coerced debt? Please describe the policies you think would be helpful.

Advocates commented:

We try to use the FTC Identity Theft report format rather than filing police reports. That should be sufficient, but credit reporting agencies are reluctant to treat the disputes as legitimate without the police report. A state or federal law clearly defining coerced debts as identity theft transactions and supporting deletion of coerced debts and setting out clear procedures for the credit reporting agencies to follow is what is needed. **(North Carolina)**

Consider economic abuse in the Protection From Abuse statute; recognize economic abuse as a part of DV; require creditors and credit reporting agencies to better respond to coerced debt, similar to how utility companies do not hold survivors accountable for their batterer's debt. **(Pennsylvania)**

It seems like if there's no criminal case, it's very hard for anyone to get interested or feel there's "evidence" of what happened in cases like these. **(Wisconsin)**

It depends largely on the relationship between the survivor and the abuser. We are a community property state which complicates the issue within marriage. A statutory exemption for coerced debt in a marriage as a carveout from community property that immunizes a survivor through some sort of automatic stay would be useful across the board. For older people, law enforcement's lack of resources to investigate is often a significant issue and so a requirement for investigation would be useful. Our state AG has been mixed in the extent to which they pursue [] remedies to identity theft generally, so more civil direct action against creditors who failed to do due diligence about borrowers to exclude coercion would be beneficial to all survivors. Specific regulations prohibiting collections against survivors would be great, but attention should be paid to what sorts of evidence would be required to trigger those rules. Basic rules for creditors to engage in a reasonable time frame, respond to all communications about these matters rapidly or lose the right to pursue collections, and to give survivors an open-ended window of time to raise the issue as a reason to dispute the debt would be helpful in all cases. **(Washington)**

Survivors with limited English proficiency often sign a financial form without knowing what it contains, and their abuser takes whole control over it and survivors do not know what's going on with the signed form or loan. The definition of 'coerced' has to include various contexts. **(Indiana)**

We try to use Federal law, but it's very limited in what we can do. **(Alaska)**

Increase ongoing public policy advocacy relating to new or updated coerced debt laws. **(Michigan)**

I. Final Open-Ended Question

SURVEY QUESTION: Is there anything else you want to say about survivors' experiences, barriers, or outcomes with existing protections? Or to inform our collective comments in general?

I'm happy this topic is being addressed more. There are so many layers to coerced debt for the survivors that we work with and the impacts can be devastating. Folks are already struggling economically. **(New York)**

Survivors need to have a law that protects their name and credit after leaving the abuse. Sometimes their names are all that they have. **(California)**

This is an important issue that needs to be considered as it occurs every day. **(New York)**

Laws should be national. Having separate state laws makes it less legitimate and can be hard to follow as people often relocate. **(Maine)**

VI. CONCLUSION

Coerced debt causes long-term financial hardship by damaging a victim's credit history, which in turn creates profound barriers to safety and economic security. The 2025 National Coerced Debt Survey, along with comments provided by the CDWG in response to the CFPB's ANPRM, provide critical insights from over 200 direct service providers, finding that the consumer reporting industry and its associated systems and processes fail to significantly address the damage to a victim's credit history resulting from coerced debt. Furthermore, the provisions of the Fair Credit Reporting Act (FCRA) may not always address all the unique challenges posed by coerced debt.

The survey shows that victims of coerced debt face barriers before, during, and after trying to use the FCRA to resolve the harm caused by coerced debt. Victims of coerced debt are often unable to access or afford necessary legal assistance; often do not know or understand available legal protections; and are often unable to navigate the dispute process while also navigating other needs. These systemic failures are further exacerbated for marginalized communities, including BIPOC survivors, immigrant survivors, consumers with limited English proficiency, transgender individuals, individuals with disabilities, and justice-involved individuals, who encounter additional, deeply rooted barriers stemming from discriminatory practices and historical inequities.

Knowing about the challenges and the significant consequences victims of coerced debt face, advocates can better assist clients in attempting to gain financial relief. Additionally, the data in this report can serve as evidence of the need for funding for this work and the need for systemic change. Several states have passed laws providing relief for victims of coerced debt, which can serve as a roadmap for other states seeking to enact such protections.

Resources

- [Comments to CFPB's ANPRM on Coerced Debt](#)
- [NCLC Model Coerced Debt Law](#)
- [CSAJ Compendium on Coerced Debt](#)
- [Coerced Debt Assessment Tool](#)

ENDNOTES

1. 12 C.F.R. Part 1022, [Docket No. CFPB-2024-0057] found at: <https://www.federalregister.gov/documents/2024/12/13/2024-29292/fair-credit-reporting-act-regulation-v-identity-theft-and-coerced-debt>.
2. See Advanced Notice of Proposed Rulemaking on the Fair Credit Reporting Act (Regulation V); Identity Theft and Coerced Debt Comments to the Consumer Financial Protection Bureau regarding Docket No. CFPB-2024-0057 by the National Consumer Law Center, the Center for Survivor Agency and Justice, and the National Coerced Debt Working Group (March 7, 2025) <https://www.nclc.org/resources/advanced-notice-of-proposed-rulemaking-on-the-fair-credit-reporting-act-regulation-v-identity-theft-and-coerced-debt-comments-to-the-consumer-financial-protection-bureau/>.
3. Victims of coerced debt include survivors of gender based violence (also termed intimate partner violence, domestic violence, or domestic abuse), as well as others impacted by coercive and abusive familial relationships, for example, survivors of elder abuse (also called abuse in later life), survivors of human trafficking, survivors of child abuse, and foster youth.
4. Adams, A. E., Beeble, M. L., Biswas, A., Flynn, R. L., & Vollinger, L. *An Exploratory Study of Financial Health as an Antecedent of Economic Abuse Among Women Seeking Help for Intimate Partner Violence*, 30, *Violence Against Women*, 3825-3853, (2023).
5. Advocates interchangeably use the terms “survivor” and “victim” depending on the preference of the person who experienced the abuse. If a person continues to be victimized by the abuse, or the abuse is ongoing, the person most often identifies with the term “victim.” If a person has escaped an abusive relationship and is free from ongoing abuse, the term “survivor” is more often preferred. We use the term “victim of coerced debt” throughout this report and use the more general term “survivor” to refer to consumers who have experienced intimate partner violence, domestic violence, dating violence, or another form of family violence which can include elder abuse (also called abuse in later life) and child abuse.
6. Littwin, Angela, *Coerced Debt: The Role of Consumer Credit in Domestic Violence*, 100, *Cal. L. Rev.* 951, 981-982 (2012).
7. See Nat'l Network to End Domestic Violence, About Financial Abuse, <https://nnedv.org/content/about-financial-abuse/>.
8. See Connections for Abused Women and Their Children, Socioeconomic Risk Factors for Domestic and Intimate Partner Violence, CAWC.ORG (Aug. 30, 2024), <https://www.cawc.org/news/socioeconomic-risk-factors-for-domestic-and-intimate-partner-violence/>; Barbara Niess-May, The Intersection of Domestic Violence and Poverty, SAFEHOUSES.ORG (Oct. 22, 2019), <https://www.safehousecenter.org/the-intersection-of-domestic-violence-and-poverty/>.
9. Littwin, Angela, *Coerced Debt: The Role of Consumer Credit in Domestic Violence*, 100 *Cal. L. Rev.* 951, 981-982 (2012).
10. *Id.*

11. Although economic abuse surfaces most in the context of intimate partner violence (also termed domestic violence or domestic abuse), it can occur in other coercive and abusive familial relationships, for example, among survivors of elder abuse (also called abuse in later life), survivors of child abuse, foster youth, and survivors of human trafficking.
12. See Diane Johnston & Divya Subrahmanyam, *Denied! How Economic Abuse Perpetuates Homelessness for Domestic Violence Survivors* 1 (Sept. 2018), Fordham Law Sch. Feerick Ctr. for Soc. Justice, CAMBA Legal Servs., & The Legal Aid Soc'y, <https://www.fordham.edu/media/home/schools/school-of-law/pdfs/denied-accessible.pdf>.
13. See <https://www.nclc.org/resources/petition-to-the-cfpb-for-fcra-rulemaking-on-coerced-debt/>.
14. 12 C.F.R. Part 1022, [Docket No. CFPB-2024-0057] found at: <https://www.federalregister.gov/documents/2024/12/13/2024-29292/fair-credit-reporting-act-regulation-v-identity-theft-and-coerced-debt>.
15. Regulation V implements the Fair Credit Reporting Act.
16. See <https://www.nclc.org/resources/advanced-notice-of-proposed-rulemaking-on-the-fair-credit-reporting-act-regulation-v-identity-theft-and-coerced-debt-comments-to-the-consumer-financial-protection-bureau/>.
17. See Survey, CSAJ, NCLC, Coerced Debt Working Group, National Survey on Barriers to Disputing & Blocking Coerced Debt (Feb 25, 2025), <https://csaj.org/resource/2-barriers-to-disputing-blocking-coerced-debt-survey-data/>.
18. 12 C.F.R. Part 1022, [Docket No. CFPB-2024-0057] found at: <https://www.federalregister.gov/documents/2024/12/13/2024-29292/fair-credit-reporting-act-regulation-v-identity-theft-and-coerced-debt>.
19. See Adrienne E. Adams, Angela Littwin, Angie Kennedy & Marisa Beeble, Describing Coerced Debt in Abusive Marriages (manuscript submitted for publication, 2025) (on file with author); Adams, A. E., Beeble, M. L., Biswas, A., Flynn, R. L., & Vollinger, L. (2023). An Exploratory Study of Financial Health as an Antecedent of Economic Abuse Among Women Seeking Help for Intimate Partner Violence. *Violence Against Women*, 30(15-16), 3825-3853. <https://doi.org/10.1177/10778012231170867> (Original work published 2024) (The study explores how women's pre-existing financial health influences their risk of experiencing economic abuse in the context of intimate partner violence.); Center for Survivor Agency & Justice, Consumer Rights Newsletter on Coerced Debt (Aug. 2023), <https://csaj.org/consumer-rights-newsletter-on-coerced-debt-2/>; Adrienne E. Adams, Angela K. Littwin & McKenzie Javorka, The Frequency, Nature, and Effects of Coerced Debt Among a National Sample of Women Seeking Help for Intimate Partner Violence, 26 *Violence Against Women* 1324 (2020) (This national survey of 1,823 hotline callers found coerced debt is both "common" and strongly linked with financial dependence and credit harm).
20. The survey utilized the term "credit" reporting agencies because it is a more commonly known and utilized term. However, the Fair Credit Reporting Act refers to these entities as "consumer reporting agencies." See 15 U.S.C. § 1681a(f).
21. This is a national listserv and community forum for anti-violence, consumer rights, and economic justice advocates to connect, problem solve, and organize around coerced debt facing survivors. This listserv is managed by CSAJ and the National Consumer Law Center (NCLC).

22. The survey utilized the term “credit” report because it is a more commonly known and utilized term. However, the Fair Credit Reporting Act refers to the report as a “consumer” report. See 15 U.S.C. § 1681a(d).
23. See 15 U.S.C. § 1681i.
24. See *Johnson v. MBNA Am. Bank*, 357 F.3d 426, 431 (4th Cir. 2004); See also National Consumer Law Center, *Fair Credit Reporting* (10th ed. 2022), updated at www.nclc.org/library.
25. 15 U.S.C. § 1681i(a)(1)(A)–(B). For example, a CRA must: (1) send notification of the dispute to the furnisher within 5-business days of receipt of the dispute, along with all relevant information provided by the survivor regarding the dispute; (2) complete a reinvestigation within thirty days of receipt of the dispute; (3) delete information that is inaccurate, incomplete, or cannot be verified; and (4) provide written notice of the results of the investigation to the survivor within five business days after completion of the reinvestigation along with a statement that the reinvestigation is completed, a copy of the revised consumer report, and notice that survivor has right to add a statement to file disputing accuracy or completeness of disputed information.
26. National Domestic Violence Hotline, *Survivors of Domestic Violence Report Feeling Less Safe After Contacting Law Enforcement*, Social Work Today (Oct. 2022), https://www.socialworktoday.com/news/enews_1022_1.shtml.
27. 15 U.S.C. § 1681c-2(a).
28. The graph likely overstates the success rate, as the respondents to the survey were advocates who helped the coerced debt victim. As discussed earlier in the report, many survivors are unable to get assistance from an advocate or lawyer.
29. As seen in [Figure 6](#), over half of survey respondents (52%) work with survivors with limited English proficiency (LEP) and 44% of respondents work with immigrants. And, as seen in [Figure 7](#), 87.31% of respondents reported that **language access was a major barrier towards disputing coerced debt**.
30. As seen in [Figure 6](#), over half of survey respondents (51%) work with people with disabilities.
31. Illinois Criminal Justice Information Authority, *Victimization and help seeking behaviors among female prisoners in Illinois* (Ill. Crim. Just. Info. Auth. Apr. 2010), <https://archive.icjia-api.cloud/files/icjia/pdf/ResearchReports/Victimization%20and%20help%20seeking%20behaviors%20among%20female%20prisoners%20in%20Illinois.pdf>; see also *Female Prisoners Illinois*.pdf (Cited in the Women's Justice Institute *Redefining the Narrative Report*: <https://redefine.womensjusticeinstitute.org/wp-content/uploads/2021/04/WJI-Redefining-the-Narrative-Bro-L01.pdf>).
32. Texas Center for Justice and Equity, *Findings from Survey of Incarcerated Women* (2014), <https://texascje.org/findings-survey-incarcerated-women>.
33. <https://www.nclc.org/resources/model-state-coerced-debt-law/>
34. Cal. Fam. Code § 6342.5 (West) (effective Jan. 1, 2022); Cal. Civ. Code §§ 1798.97.1–1798.97.6 (West).
35. Me. Stat. tit. 10, § 1310-H(2-A).

36. S.F. 4097, 93d Leg. Sess. (Minn. 2023–2024) (effective Jan. 1, 2025), codified at Minn. Stat. §§ 332.71 to 332.74. See also H.F. 2413, 93d Leg. Sess. (Minn. 2023–2024) (effective Jan. 1, 2024); S.F. 2744, 93d Leg. Sess. (Minn. 2023–2024) (effective Jan. 1, 2024).
37. Ill. H.B. 3352, 103d Gen. Assemb., Reg. Sess., as passed by the House, 2024 Leg., (2024), signed into law 8/15/2025 with an effective date of 1/1/2026. <https://ilga.gov/legislation/PublicActs/View/104-0297>.
38. See Nevada AB250, passed and signed by Governor on June 3 2025. <https://legiscan.com/NV/bill/AB250/202>.
39. PA 24-77, 2024 Conn. Acts 123 (Reg. Sess.) codified at Conn. Gen. Stat. §§ 36a-649 to 36a-651.
40. See Assembly Bill A3038B 2025-2026 Legislative Session, Passed assembly and senate 6/11/2025 (as of 10/16/2025, awaiting governor's signature);" New York City, N.Y., Ordinance 2023/031 (enacted Mar. 6, 2023; effective July 4, 2023), codified at New York City Administrative Code § 8-102, available at <https://legistar.council.nyc.gov>.
41. H.B. 183, 152d Gen. Assemb., Reg. Sess. (Del. 2023) codified at 11 Del. C. § 786A (2023), <https://legis.delaware.gov/BillDetail/130368>.
42. Tex. Penal Code § 32.51 (West) (effective Sept. 1, 2019); Tex. Bus. & Com. Code §§ 521.101–521.103 (West); Tex. Fin. Code § 392.308.
43. Or. Rev. Stat. §§ 124.100(e), 124.110.
44. Fla. Stat. § 415.102.
45. A.M. 1525, 108th Leg. Sess. (Neb. 2023–2024) (effective Sept. 1, 2023) (amending L.B. 157), codified at Nebraska Revised Statute section 52-401.



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