

COMMUNITY ACTION TOOLKIT

For Addressing Hate Violence Against LGBTQ and HIV-Affected Communities

1. Why We Need Community Action!

The National Coalition of Anti-Violence Programs (NCAVP) works to prevent and respond to all forms of violence against and within lesbian, gay, bisexual, transgender, queer (LGBTQ), and HIV-affected communities. NCAVP is a national coalition of local member programs and affiliate organizations who create systemic and social change. We strive to increase power, safety, and resources through data analysis, policy advocacy, education, and technical assistance. NCAVP partnered with GLAAD, the National Black Justice Coalition, the National Center for Transgender Equality, the Trans People of Color Coalition, and the National Gay and Lesbian Task Force to create this toolkit.

Hate violence is a prevalent and deadly issue being faced by LGBTQ and HIV affected communities. Anti-LGBTQ and HIV-affected hate violence can be defined as any act that someone commits against a person or a person's property because of bias toward or hatred for that person's actual or perceived sexual orientation and/or gender identity and expression. Hate violence can include, but is not limited to, verbal attacks, sexual assault, workplace discrimination, assault, and murder. This violence sends the message that LGBTQ and HIV-affected people do not have the right to live free from violence or live at all, and that LGBTQ and HIV-affected people should be killed or harmed because they don't fit within social norms of how people should look, act, and have relationships.

This guide will give survivors of this violence and community members tools – like safety tips, Know Your Rights information and Community Action strategies - to respond to incidents of violence, to the culture of anti-LGBTQ and HIV-affected violence and to support LGBTQ and HIV-affected survivors and communities.

2. Some Information About Hate Violence

Data on LGBTQ and HIV-affected communities and the violence they experience in the United States is extremely limited. NCAVP annually collects data and then reports on this violence. NCAVP's 2013 report on hate violence against LGBTQ and HIV-affected communities documented 2,001 incidents of hate violence in 2013, including 18 homicides¹. The only comparable data to NCAVP's hate violence report is the "Hate Crime Statistics Report"² annually released by the FBI's Criminal Justice Information Services Division. This report documents hate crimes motivated by bias against sexual orientation, but as of 2013, omits gender identity, that local law enforcement agencies report to the FBI annually. Only 13.3% of the 13,022 participating law enforcement agencies reported hate crime data to the FBI in 2012 – an astonishing 86% of agencies did not. The FBI is currently working to collect information on hate crimes data motivated on the basis of gender identity in accordance with the Matthew Shepard, James Byrd Jr. Hate Crime Prevention Act, but this information is not currently published.³ In 2013 NCAVP documented over 600 more survivors and victims of hate violence than the FBI in 2012 (1,376 survivors and victims compared to 2,001 survivors and victims). While the FBI tracks hate crimes and NCAVP tracks hate violence, including incidents that may not be reported to law enforcement or incidents that law enforcement may not classify as a hate crime, NCAVP still views this difference in data as an indication that many incidents of hate violence continue to go unreported across the country.

¹ *Lesbian, Gay, Bisexual, Transgender, Queer, and HIV-Affected Hate Violence in 2013*. Rep. N.p.: National Coalition of Anti-Violence Programs, 2014. Accessed from http://www.avp.org/storage/documents/2013_ncavp_hvreport_final.pdf June 2014.

² FBI Criminal Justice Information Services Division 2012 Hate Crimes Report. Accessed from <http://www.fbi.gov/about-us/cjis/ucr/hate-crime/2012> on June 2014.

³ FBI Criminal Justice Information Services Division 2011 Hate Crimes Report. Accessed from <http://www.fbi.gov/about-us/cjis/ucr/hate-crime/2010/tables/table-4-offenses-offense-type-by-bias-motivation-2010.xls> on April, 4 2014.

For the most recent information about anti-LGBTQ and anti-HIV hate violence, visit ncavp.org for our [reports](#) and for fact sheets.

3. Taking Action Against Violence

Community organizing and public advocacy can be powerful tools to take action against hate violence. Campaigns to address hate violence can include:

- raising awareness about hate violence in your community,
- visibility campaigns to end homophobia, biphobia, and transphobia,
- rapid incident response organizing after hate violence incidents,
- policy campaigns,
- bystander intervention campaigns, and
- campaigns focused on ending police violence and profiling of LGBTQ and HIV-affected communities.

Effective campaigns center the leadership of survivors and LGBTQ and HIV-affected communities to identify the issues which they would like to take action on in order to reduce and prevent violence in their lives. Organizing around hate violence requires raising awareness about a hate violence issues in your community. Below are some considerations for creating campaigns in your community:

a. Safety and Awareness Campaigns

Some campaigns focus on increasing safety and awareness for LGBTQ and HIV-affected communities, often after a series of hate violence incidents within a community. One way to get community members involved is to give them concrete tools to safety plan around hate violence. The following safety tips can be used in educational materials, communications after public incidents of violence, community dialogues, trainings, or as talking points during outreach. These safety tips can be a way to raise awareness about violence and also empower community members to create safety plans within their communities. Organizers and advocates can also use these safety tips for themselves when conducting outreach and campaign work.

SAMPLE SAFETY TIPS

How To Stay Safe: Hate Violence Safety Tips for LGBTQ and HIV-Affected Communities:

The following are a list of safety tips for LGBTQ and HIV-affected communities to use to reduce the risk of harm or anti-LGBTQ or anti-HIV violence.

It is important to note that if you experience violence it is not your fault, whether you follow these safety tips or not.

The following tips have been created by organizations working with survivors of anti-LGBTQ or anti-HIV violence. In our experience, these tips are useful for individuals and groups of people to talk about, agree to, and plan for.

- **Have a safety plan for going out or meeting someone:** Let someone know your plans including who you will be with, the location of your meeting place, the phone number of the person you are meeting, and your plans for the evening. If you met someone online or via a phone application, remember the name of the website/phone application and the username or handle they used for their profile. Give this information to people you are comfortable sharing with before you go out. Talk with your friends about ways that you can support each other. Plan in advance what will happen if you feel unsafe and need to contact them – will they come to you? Will they meet you somewhere? Will they call the police?
- **Let someone know your plans for the night:** who you'll be with and if plans change. Plan in advance ways people can contact and support you.
- **Choose a safety word** you can text or tell a friend, and create a plan for what to do if you text your safety word. Consider arranging a time to check in with a friend to let them know you are safe.
- **Leave a trail** by letting people around you know when you leave a place; text yourself or friends about where you'll be; save e-mails and online messages.
- **Use words** to alert bystanders and use your body to defend yourself or to get away.
- **Make sure your cell phone is with you** and charged, if you have one.
- **A note on bathrooms and other public spaces:** Be aware that incidents can occur in these locations. Be aware of others in the restroom. Stay near the exit where possible. Use single stall restrooms where available, and if you feel uncomfortable find a different restroom to use. If you are with a friend, ask them to accompany you to the bathroom.
- **Be aware of your surroundings:** Locate public spaces and 24-hour businesses to seek help if you feel unsafe. When you are outside, scan the street for establishments (such as a bodega, car service, or other 24-hour establishment) where you can seek help if you feel unsafe. Be aware of exits and other escape routes, even if you're familiar with the location.
- **Try to avoid isolated areas.** Meet people in a public space.
- **Open drinks and containers yourself.** Try to not leave drinks unattended.
- **Trust your instincts:** If you feel threatened or unsafe at any point, when possible leave the area as quickly as possible.

In addition to providing safety tips to community members, it's also important that organizers and advocates provide information to the community about what their options are if they do experience violence. Sample language for responding to violence is included below.

What To Do If You Experience An Incident Of Violence:

If you experience violence, the first thing to consider is your safety. Are you in a safe place? Can you get to a safe place? Do you need help to get to a safe place? Some people might choose to call the police right away; others won't. For many LGBTQ and HIV-affected people, especially for transgender people and people of color, reporting incidents of hate violence to the police means the risk of experiencing violence at the hands of the police and being re-victimized. Institutionalized racism, sexism, homophobia, biphobia, and transphobia among law enforcement agencies translate to higher risk of experiencing police violence for transgender women, transgender women of color, LGBTQ people of color, and LGBTQ undocumented immigrants. If reporting to the police is not an option, consider the following steps to report and attempt to address hate violence:

- If possible, **consider medical attention** or **getting support** after any incident. Violence can create many physical and emotional consequences. For local anti-violence programs that can provide crisis intervention, safety planning, counseling and more, visit www.ncavp.org.
- **Document the incident:** Take photos of any injuries; keep records of emails, texts, calls.
 - A note about social media: More and more often, folks are posting about incidents of violence using social media. While that can be an appropriate and necessary step for survivors of violence, before you post, know the risks. Often media pick up on these posts and are persistent in trying to reach survivors of violence to get the "story" before the survivor has had a chance to consider whether they are comfortable telling their story. Many survivors report feeling overwhelmed by the media attention, which they didn't realize they'd get, after posting about an incident to social media. Also, if the accused perpetrator is every criminally prosecuted, everything you say on social media can be used to discredit your testimony in court. If you want support to think through whether to post or not to post, contact a local anti-violence program by visiting www.ncavp.org.
- **Take care of yourself** by utilizing supportive friends, partners and family.
- **Report the violence to NCAVP.** NCAVP provides a safe online resource to report violence at NCAVP.org (click on the "Report Violence" link on the right). NCAVP will connect you to the closest local anti-violence program that offers services and support for survivors of hate violence.
- **Report Violence to the American Civil Liberties Union (ACLU):** The ACLU allows individuals to report incidents of anti-LGBTQ discrimination. If you have experienced any form hate violence, police violence, or discrimination report to the ACLU to acquire legal help at: https://www.aclu.org/secure/report-lgbthiv-discrimination?ms=web_LGBTintake

b. Public Education Campaigns

There are various strategies that you, your organization, or friends can use to begin creating dialogue about hate violence in LGBTQ and HIV-affected communities. We've outlined some standard strategies that can be used and tailored to your goals and needs.

Outreach

Outreach is any activity to reach and engage community members around your issue, campaign, or organization. Outreach can include going out to events, gatherings, parties, or bars and getting people involved, reaching people on the street, online, or other channels. There are many different goals for doing outreach including engaging community members, base building, listening to community concerns, letting people know about resources and services, and getting people involved.

Outreach includes four main components:

1. **Engage** community members by getting their attention and letting them know why you're out in the community doing outreach. It's important for organizers to go to community members, and not wait for them to come to you.
2. **Locate** community members by engaging in a community mapping exercise. Community mapping is process whereby organizers and advocates determine where community members can be reached through outreach, apart from events and locations that are typically well-outreached. The chart below can help organizers and advocates map where to reach LGBTQ and HIV-affected communities.
3. **Listen** to what community members have to say about hate violence and what they think about the issue.
4. **Educate** community members about your issue to let them know why they should care and why they should get involved.
5. **Get** community members **involved**, by taking down their name and contact information for follow up and by giving them handouts and materials that let them know how to get involved with your issue, campaign, or organization.

Outreach Planning Worksheet

In your community, are there:	Yes, No, Unsure	If so, what are they?	Do you have any contacts there?	Have you ever conducted outreach there?
LGBTQ organizations				
Social service organizations				
Community organizing organizations				
Political organizations				
Social organizations				
Culturally specific organizations				
Disability organizations				
Youth organizations				
Elder organizations				
Athletic organizations				
Community center				
Transgender specific organizations				
Bisexual specific				

organizations				
LGBTQ places of worship				
LGBTQ-specific places of worship				
Places of worship that are LGBTQ friendly				
LGBTQ bars and clubs				
Lesbian-specific				
Gay-specific				
Bisexual-specific				
Transgender-specific				
Queer-specific				
POC and/or culturally-specific				
LGBTQ events				
General Pride				
Black Pride				
Latin@ Pride				

API Pride				
Dyke March				
Transgender Day of Remembrance				
Transgender Awareness Week				
Coming Out Day				
World AIDS Day				
Bisexual Pride				
Fundraisers for LGBTQ causes				
LGBTQ political actions				
LGBTQ dances				
LGBTQ performances and art openings				

Rapid Incident Response

Rapid Incident response (RIR) is one of the many ways in which organizers can raise public awareness about incidents of hate violence in their community while ensuring that the content of this conversation is grounded in the lived reality of LGBTQ and HIV-affected communities. RIR involves a number of methods that mobilizes local communities, provides support to survivors of violence, and uses the media as a tool for raising awareness around particular incidents of violence while contextualizing that violence in a broader narrative of the history of violence against LGBTQ and HIV-affected communities. For more information about how to create a RIR campaign, refer to NCAVP's RIR toolkit at www.ncavp.org.

Community speak-outs, forums, and discussions

Community speakouts, forums, and discussions can be an effective way to start dialogue about hate violence. These events are organized to gather community members together to raise awareness about and discuss the issue hate violence. However, community speakouts can also be organized in response to high profile hate violence incidents, when new reports are released, or simply to provide community education about the issue. Goals for community speakouts and forums range from raising awareness, education, and visibility for an issue, to identifying community concerns for campaigns, to allowing space for community members to express their feelings after high profile incidents and homicides in their communities. Community speakouts can be effective venues for survivors to tell their stories and raise visibility for the issue, but organizers should be careful that survivor stories are not being used in a tokenizing or alienating way and only with their consent.

Community Education

Organizers can facilitate community education by providing information about hate violence to educate community members. Below is a factsheet developed by NCAVP along with several partner organizations that highlight the impact of hate violence against transgender people and LGBTQ people of color:

Community Workshops

In addition to community discussions, organizers can facilitate workshops and trainings with community members to raise awareness and education about hate violence. Workshops can be for various community groups and organizations, school groups, or can be organized for the general public. We recommend a basic model for organizing workshops on LGBTQ hate violence.

Sample workshop structure:

Learning objectives for hate violence workshop:

By engaging in this workshop, participants and community members will be better able to

1. Describe the prevalence and impact of hate violence in LGBTQ and HIV-affected communities
2. Articulate the difference between hate violence and hate crimes
3. Discuss the disproportionate impact of hate violence on marginalized communities.
4. Create a plan for reporting and responding to incidents of violence in their communities, and taking action against hate violence

Sample Agenda:

1. Introductions-
2. What is hate violence?
 - a. Hate violence versus hate crimes – describe the difference between hate violence and hate crimes.
 - b. Who experiences hate violence – discuss the prevalence of hate violence in LGBTQ communities and the impact of hate violence on LGBTQ and HIV-affected individuals.
 - c. Latest hate violence statistics – for the most updated statistics on hate violence visit www.ncavp.org to access the latest report published by NCAVP.
 - d. Disproportionate impact of hate violence – discuss the impact of hate violence on various marginalized communities and the disproportionate experience of violence among transgender communities, LGBTQ people of color communities, and LGBTQ youth.
 - e. Police violence and institutional violence – provide information about institutional violence and police violence and discuss the impact of discrimination and lack of legal protections for LGBTQ communities.
3. Community responses to hate violence
 - a. Reporting and responding to violence – discuss ways to report hate violence in your communities and how communities can respond to incidents of hate violence.
 - b. Safety tips and safety planning – provide participants with safety tips and discuss the possible ways of remaining safe from hate violence.
 - c. Community Action and how to get involved – facilitate a discussion for community members to identify how they would like to take action against hate violence in their own communities, and create an action plan at the end of the workshop.

c. Campaigns Against Police Profiling, Harassment, and Violence

Police profiling, harassment, and violence is a form of hate violence against LGBTQ and HIV-affected communities, and is particularly severe against LGBTQ people of color and transgender people of color. Some communities launch local campaigns against police violence and profiling. One tool to raise awareness about this issue and give people tips for staying safe when interacting with law enforcement is to provide information to community members about what their rights are when engaging with the police. The following information was developed by the National Know Your Rights Network, which comprises of [BreakOUT!](#) and [Streetwise and Safe](#). The tips included below are general guidelines; as laws vary state by state, please check your local laws before practicing the tips below.

General Safety while interacting with law enforcement:

- Contact and seek help from law enforcement only if you are comfortable doing so.
- A note about calling the police: even when you don't call the police, a bystander or witness might. You should be prepared to engage with the police even if you didn't call them. Some people have called 911 while they were being harassed by the police and felt unsafe to make sure that the 911 operator was listening to the police officers as they interacted with the survivor. This ensured that the exchange was documented and recorded for use later in court. Other people have discreetly recorded the conversation on their cell phones or called someone so they could listen as a witness to the conversation.
- Document your interactions with the police using audio or video recording devices but only if it safe for you to do so and if you have informed the officers detaining you.
- Know your surroundings- if you are stopped by the police and feel unsafe, look to see if there are any stores that are open, crime cameras or private security cameras, or other bystanders. Remember, law enforcement agents you are allowed to lie to you, but you can't lie to them.

Being stopped by law enforcement:

- Remember, walking while transgender is not a crime. However, you may be profiled and stopped by the police because of how they perceive you to look or act.
- You have a constitutional right to not answer questions.
- Only in some states do you have to give your name (some states also require driver's license and insurance information if stopped for a traffic violations) when asked by law enforcement personnel.
- Respectfully ask why you are being stopped and questioned.
- If no reason is given, ask if you are free to leave. If the response is 'yes' then you can walk away.
- Anything that you say can be used against you and lying to law enforcement is also a crime. It is best not to provide any personal information.
- If you are asked to give the police officer your phone or other electronic, you do not have to give your passcode or other information that will help them unlock the device - you have the right to remain silent about this information, too.

If you are searched by law enforcement:

- If you are being stopped and searched by law enforcement know that they can only frisk you if they have "reasonable suspicion" that you are armed and dangerous. This means they cannot touch your genitals just to try to tell what gender you are. However, officers may do this unlawfully. You have the right to protest while it is happening, but should also trust your instincts about whether do protest in the moment, or later with the support of friends, families and other community members.
- If a more thorough search is demanded, you have a right to express that you do not consent to the search. This applies to searches of your car as well.
- The only legal way law enforcement personnel can search your house or workplace if they have a warrant or your consent.

- If law enforcement personnel come to your house or workplace, ask to see a warrant before letting them enter.
- If law enforcement is at your house asking to search it, ask for a warrant through a closed door or step outside to talk to them and close the door behind you.
- Remember that you still have a right not to answer any questions.

If you are being arrested by the Police:

- Do not resist the officers making the arrest; this may cause them to use excessive force.
- Law enforcement must read you your Miranda rights before arresting you – these include the right to remain silent and a right to an attorney. However, even if the police do not read you your Miranda rights, you can still remain silent.
- Ask the police what crime you are being charged with.
- Contact an attorney as soon as it is possible.
- Remember you always have a right not to answer any questions.
- If you have been detained by the police or other law enforcement agencies you have the right to request being held in facilities that align with your gender identity, according to the Prison Rape Elimination Act (PREA). Law enforcement agencies act on these requests on case-by-case basis and there is no guarantee that your request will be granted.

If you experience violence or misconduct at the hands of law enforcement:

- Write down the badge number, name and any other information of the offending officer.
- Document, however possible, the nature, time, date, and place of the misconduct.
- If you have been injured while interacting with law enforcement, take pictures and seek medical attention when possible.
- Contact NCAVP to report the violence at ncavp.org (Report Violence on the right hand side).
- If the agency responsible for the misconduct has a process for registering complaints, do so as soon as possible.
- Complaints of discrimination by law enforcement may be filed with the US Department of Justice, see <http://ojp.gov/about/ocr/complaint.htm>.

Find out if there is another local board (such as a civilian review board) or state agency (such as the state attorney general) that investigates reports of police misconduct.

4. Additional Resources:

For Seeking Support for and Reporting Incidents of Violence:

National Coalition of Anti-Violence Programs (NCAVP): NCAVP is a national coalition of anti-violence programs located throughout the country that serve the LGBTQ community. To receive local support and report an incident of violence please visit NCAVP.org.

American Civil Liberties Union (ACLU): The ACLU defends and preserve the individual rights and liberties that the Constitution and laws of the United States guarantee everyone in this country. The ACLU also works to extend rights to segments of our population that have traditionally been denied their rights, including people of color; women; lesbians, gay men, bisexuals and transgender people; prisoners; and people with disabilities. (ACLU.org)

Resources to Address Police Violence and Misconduct:

Streetwise and Safe: Streetwise & Safe (SAS) is a multi-strategy initiative working to build and share leadership, skills, knowledge and community among LGBTQQ youth of color who experience criminalization, particularly in the context of the policing of poverty, “quality of life” offenses, and involvement or perceived involvement in survival economies. We conduct “know your rights” workshops specifically tailored to LGBTQQ youth of color where we share critical information about rights in the criminal legal system as well as strategies to increase safety and reduce the harms of interactions with police. SAS works to create opportunities for LGBTQQ youth of color to claim a seat at policy discussion tables as full participants speaking out on their own behalf, act collectively to protect and advance their rights, and demand choices that allow them to maximize their safety, self-sufficiency, and self-determination. (streetwiseandsafe.org)

BreakOut!: BreakOUT! seeks to end the criminalization of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth to build a safer and more just New Orleans. We build on the rich cultural tradition of resistance in the South to build the power of LGBTQ youth ages 13-25 and directly impacted by the criminal justice system through youth organizing, healing justice, and leadership development programs. (<http://www.youthbreakout.org/>)

American Civil Liberties Union “Know Your Rights”: <https://www.aclu.org/national-security/know-your-rights-when-encountering-law-enforcement>

Department of Justice Information on Reporting Police Misconduct:

<http://www.justice.gov/crt/about/spl/documents/polmis.php>

Other Resources:

The National Black Justice Coalition (NBJC): The National Black Justice Coalition (NBJC) is a civil rights organization dedicated to empowering Black LGBT people. NBJC’s mission is to end racism and homophobia. As America’s leading national Black LGBT civil rights organization focused on federal public policy, NBJC has accepted the charge to lead Black families in strengthening the bonds and bridging the gaps between the movements for racial justice and LGBT equality. (NBJC.org)

National Center for Transgender Equality (NCTE): The National Center for Transgender Equality (NCTE) social justice organization dedicated to advancing the equality of transgender people through advocacy, collaboration and empowerment. NCTE was founded in 2003 by transgender activists who saw the urgent need for a consistent voice in Washington DC for transgender people. NCTE provides this presence by monitoring federal activity and communicating

this activity to our members around the country, providing congressional education, and establishing a center of expertise on transgender issues. NCTE also works to strengthen the transgender movement and individual investment in this movement by highlighting opportunities for coalition building, promoting available resources, and providing technical assistance and training to trans people and our allies. NCTE sees this type of assistance as strengthening new and existing transgender organizations and our allies, initiating coalition building, and empowering state and local advocates who can mobilize on the federal level. (transequality.org)

Transgender Law Center (TLC): Transgender Law Center works to change law, policy, and attitudes so that all people can live safely, authentically, and free from discrimination regardless of their gender identity or expression. The Transgender Law Center connects transgender people and their families to technically sound and culturally competent legal services, increase acceptance and enforcement of laws and policies that support California's transgender communities, and work to change laws and systems that fail to incorporate the needs and experiences of transgender people. (transgenderlawcenter.org)

Trans People of Color Coalition (TPOCC): Trans People of Color Coalition (TPOCC) is the only national social justice organization that promotes the interests of Trans People of Color. TPOCC is an organization to inspire and nurture collaboration among communities of color dedicated to anti-racism and fighting transphobia and the empowerment of transgender persons of color. We work to strengthen and mobilize individuals, families, and communities by changing laws, educating the public, and building social and economic strength among all persons of color. (transpoc.org)

National Gay and Lesbian Task Force (NGLTF): The mission of the National Gay and Lesbian Task Force is to build the power of the LGBT community from the ground up. We do this by training activists, organizing broad-based campaigns to defeat anti-LGBT referenda and advance pro-LGBT legislation, and by building the organizational capacity of our movement. Our Policy Institute, the movement's premier think tank, provides research and policy analysis to support the struggle for complete equality and to counter right-wing lies. As part of a broader social justice movement, we work to create a nation that respects the diversity of human expression and identity and creates opportunity for all. (thetaskforce.org)

GLAAD: GLAAD amplifies the voice of the LGBT community by empowering real people to share their stories, holding the media accountable for the words and images they present, and helping grassroots organizations communicate effectively. By ensuring that the stories of LGBT people are heard through the media, GLAAD promotes understanding, increases acceptance, and advances equality. (GLAAD.org)

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