

[SUPPORT LETTER & STATUTORY LEGISLATIVE PROPOSAL]

Subject: Support Letter & Request for Brief Zoom Call: The Domestic Blackmail, Extortion, Fraud & Coercive Civil Torts Act (Establishing Civil Liabilities and Remedies for Coercive Control, Financial/Non-Financial Fraud, and Extortion)

Kentucky's Domestic Blackmail, Extortion, Fraud & Coercive Civil Torts Act

Dear Rep. [_____],

I am writing to request your sponsorship for a ready-made legislative remedy targeting predatory family law tactics: the **Domestic Blackmail, Extortion, Fraud & Coercive Civil Torts Act**. In high-conflict family law disputes, bad-faith actors routinely weaponize predatory tactics—manufacturing financial leverage, threatening ruinous litigation, fabricating crises, and holding children or assets as economic hostages. Outside domestic relations, these actions are clear torts or crimes. Inside family proceedings, victims are told it is merely "tactical litigation" or "a messy divorce," leaving them entirely without civil recourse.

This is a glaring blind spot that rewards predatory manipulation. When a litigant uses Domestic Relations Blackmail, Domestic Relations Financial and Non-Financial Fraud, Domestic Relations Extortion and Coercion, Domestic Relations Proxy Harassment, or Child Support Fraud to plunder assets or strip custodial rights, the law must recognize it for what it is: intentional, tortious misconduct. Unchecked procedural abuse creates severe institutional interference and financial devastation.

Fortunately, solutions exist to hold bad-faith actors accountable.

To bring actionable solutions rather than mere critique, I have drafted statutory remedies to establish explicit civil causes of action, mandatory liabilities, compensatory and punitive damages, and civil penalties for Domestic Relations Blackmail, Domestic Relations Financial and Non-Financial Fraud, Domestic Relations Extortion and Coercion, Domestic Relations Theft by Extortion, Domestic Relations Proxy Harassment, and Child Support Fraud. I also kindly request a brief 10-to-15-minute Zoom call this week to walk you through how it works.

The initiative below solves these inequities by abrogating bad-faith litigation immunity, establishing robust statutory definitions for coercive torts, and providing full compensatory and punitive recovery for victims of family sabotage. I welcome the opportunity to discuss the details and earn your support via Zoom.

Respectfully,
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BACKGROUND MEMO AND NEED FOR REFORM

Current civil frameworks often shield bad-faith litigants under the guise of litigation immunity, allowing them to deploy blackmail, falsify financial and non-financial disclosures, engineer child support traps, and weaponize emergency or protective orders without civil consequence. This Act provides the precise statutory corrections needed to pierce immunity when actions cross the line into intentional torts, coercion, and extortion, ensuring victims have an independent civil path to recover damages and penalize systemic abuse.

LEGISLATIVE FINDINGS AND PURPOSE OF PROPOSED ACT

It is the public policy of the Commonwealth that Domestic Relations Blackmail, Domestic Relations Financial and Non-Financial Fraud, Domestic Relations Extortion and Coercion, Domestic Relations Theft by Extortion, Domestic Relations Proxy Harassment, and Child Support Fraud within family proceedings inflict catastrophic financial, psychological, and relational devastation; that no litigant may hide behind litigation immunity to execute intentional civil torts; and that establishing strict statutory liabilities is essential to deter bad-faith litigation and enforce accountability.

STATUTORY LEGISLATIVE PROPOSAL

Kentucky's Domestic Blackmail, Extortion, Fraud & Coercive Civil Torts Act

Drafted by: Jared McCarthy

AN ACT relating to civil liability for domestic coercion, establishing statutory causes of action for Domestic Relations Blackmail, Domestic Relations Financial and Non-Financial Fraud, Domestic Relations Extortion and Coercion, Domestic Relations Proxy Harassment, Domestic Relations Theft by Extortion, and Child Support Fraud within domestic disputes, creating new sections of KRS Chapter 413, and prescribing remedies.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. SHORT TITLE

This Act shall be known and may be cited as the "Domestic Blackmail, Extortion, Fraud & Coercive Civil Torts Act."

SECTION 2. A NEW SECTION OF KRS CHAPTER 413 IS CREATED TO READ AS FOLLOWS:

413.XXX Establishment of Independent Civil Causes of Action and Abrogation of Litigation Immunity for Domestic Coercive Torts and Fraudulent Practices

- (1) **Causes of Action Created:** An individual possesses an independent civil cause of action against any spouse, former spouse, litigant, or coordinated proxy engaging in:
- (a) Domestic Relations Blackmail;

- (b) Domestic Relations Extortion and Coercion;
- (c) Domestic Relations Theft by Extortion;
- (d) Domestic Relations Proxy Harassment;
- (e) Child Support Fraud;
- (f) Domestic Relations Financial Fraud; or
- (g) Domestic Relations Non-Financial Fraud.

(2) **Abrogation of Litigation Immunity:** Judicial or quasi-judicial immunity shall not shield an individual from liability when communications, court filings, disclosures, or demands—including the tactical abuse of protective orders—are proven by a preponderance of the evidence to constitute extortionate coercion, bad-faith fraud, or intentional economic sabotage rather than legitimate legal advocacy.

(3) **Elements of Claims:** Plaintiffs must demonstrate that the defendant utilized any of the following methods to extract unfair financial, property, or custodial concessions:

- (a) False claims;
- (b) Fabricated disclosures;
- (c) Threats of systemic ruin;
- (d) Coercive media leverage;
- (e) Concealed assets;
- (f) Proxy networks; or
- (g) Fraudulent legal manipulation.

SECTION 3. A NEW SECTION OF KRS CHAPTER 413 IS CREATED TO READ AS FOLLOWS:

413.XXX Definitions of Domestic Relations Fraudulent and Coercive Torts, Fraudulent Practices, and Statutory Terms

(1) **"Domestic Relations Blackmail"** means any intentional threat—whether expressed, implied, executed, or looming—designed to compel the surrender of assets, property, or custodial access through:

- (a) The exposure of private secrets, intimate footage, or personal recordings;
- (b) The initiation of false criminal or child welfare investigations; or
- (c) The destruction of professional or parental standing.

(2) **"Domestic Relations Extortion and Coercion"** means the use of psychological, legal, or economic intimidation to compel a co-parent or spouse to act against their will under duress of systemic harm or financial ruin. It includes:

- (a) Coordinated family sabotage; or
- (b) The tactical weaponization of protective or emergency orders to block due process.

(3) **"Domestic Relations Theft by Extortion"** means the unlawful acquisition of property, funds, support payments, or legal concessions through:

- (a) The creation of artificial legal crises;
- (b) Repeated frivolous filings; or
- (c) Coordinated proxy harassment.

(4) **"Domestic Relations Proxy Harassment"** means the orchestrated use of third parties to maintain continuous pressure on a targeted parent. It includes:

- (a) Utilizing family members, agents, or associates to harass, monitor, or defame;
- (b) Weaponizing institutional reporting channels; or

(c) Flooding the target with frivolous legal and administrative actions to bypass direct communication restrictions.

(5) **"Child Support Fraud"** means any intentional conduct designed to secure a fraudulent, inflated child support order. It includes:

- (a) The intentional submission of false financial disclosures;
- (b) The concealment of true earning capacity;
- (c) The misapplication of adoption subsidies;
- (d) Skewed financial positioning;
- (e) Engineered "on-paper" inferiority;
- (f) The engineered appearance of poverty, need, or lack;
- (g) Deceitful claims of a lack of support or contributions; or
- (h) Deceitful misrepresentations regarding logistical considerations, including commuting distances, school proximity, extracurricular activities, and medical expense support. Such fraud acts directly against the child's best interests, functioning as state-sponsored parental alienation driven by economic disparities and severe procedural vulnerabilities, and entitles a prevailing plaintiff to full restitution of overpaid funds, reimbursement of legal and forensic accounting costs, injunctive relief, vacatur of the fraudulent support judgment, and immediate remand for recalculation.

(6) **"Domestic Relations Financial Fraud"** means the intentional misrepresentation, concealment, or falsification of material facts during proceedings to secure unearned legal, custodial, or financial advantage. It includes:

- (a) Falsified financial portfolios or asset disclosures;
- (b) Misrepresented parental fitness metrics;
- (c) Fabricated background details or medical histories; or
- (d) Deceitful lifestyle representations.

(7) **"Domestic Relations Non-Financial Fraud"** means the intentional manipulation, fabrication, or distortion of non-economic metrics, reports, or qualitative data during proceedings to secure unearned legal or custodial advantage. It includes:

- (a) Falsified allegations of unfitness or abuse;
- (b) Fabricated psychological or behavioral evaluations;
- (c) Coordinated generation of false character narratives; or
- (d) Deceitful manipulation of collateral witness testimony.

SECTION 4. A NEW SECTION OF KRS CHAPTER 413 IS CREATED TO READ AS FOLLOWS:

413.XXX Comprehensive Compensatory Damages, Punitive Multipliers, Statutory Penalties, and Equitable Relief for Victims of Domestic Coercive Torts

(1) **Compensatory Damages:** Prevailing plaintiffs recover full compensatory damages, including:

- (a) Total financial value of assets, funds, support payments, or property extorted or wrongfully diverted through fraud, support manipulation, and theft.
- (b) All legal fees, court costs, investigative expenses, and expert witness retainers incurred defending against fraudulent claims, tactical orders, or extortionate demands.
- (c) Damages for severe emotional distress, reputational injury, economic hardship, and financial disruption caused by coercive conduct, proxy harassment, and family sabotage.

(2) **Punitive and Statutory Multipliers:** To deter systemic legal abuse, courts may award punitive damages up to three times actual compensatory loss, alongside statutory civil penalties payable to the aggrieved party.

(3) **Equitable Relief:** Courts may issue injunctions, freeze fraudulent transfers, mandate immediate restoration of status quo property and custodial rights, recalculate and correct fraudulent child support orders, and impose severe procedural sanctions against parties subverting due process pending resolution.

SECTION 5. SEVERABILITY CLAUSE

If any provision of this Act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.