

POLICY BRIEF

SURVIVOR JUSTICE ACT

March 2026

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INTRODUCTION

Survivors of domestic violence, sexual assault, stalking, and trafficking are disproportionately impacted by the criminal justice system. Domestic violence intersects with and impacts all aspects of a survivor's life. The abuse experienced by survivors often leads to survival responses that can include both coerced and defensive actions that ultimately create pathways to incarceration.

Since 1978, the number of women in Connecticut prisons has increased sixfold, while nationwide the number of women in jail has increased sevenfold.¹ In Connecticut, over 70 crimes carry mandatory minimum sentences, many of which apply regardless of the circumstances of the crime, minimizing or negating the role abuse can play in survivors' offenses.

The Survivor Justice Act (SJA) offers Connecticut a trauma-informed sentencing framework that grants judges the ability to meaningfully account for abuse when determining sentencing for those survivors who can prove that their abuse was a contributing factor to their offense. CCADV is pursuing the passage of the Survivor Justice Act in the Connecticut General Assembly's 2026 legislative session.

This proposed policy shift is not a question of guilt or innocence. Applicants under the SJA are guilty of their offense and are held accountable. What we are asking is for the justice system to account for the role that abuse, sometimes lasting years, plays in a survivor's decision to commit a crime and then ensuring flexibility to modify the length of incarceration based on that acknowledgment.

Oklahoma, Georgia, Illinois, New York, and New Jersey have implemented survivor justice laws that have reduced harm, increased equity, and strengthened their criminal justice systems. Connecticut can modernize its justice system in a way that centers survivor safety, accountability, and public trust.

House Bill 5306, An Act Concerning Sentence Reduction or Relief for Survivors of Domestic Violence, Sexual Assault, Stalking or Human Trafficking.

2026 Session of the CT General Assembly

VICTIMIZATION TO INCARCERATION



Research shows that more than 70% of incarcerated women report prior experiences of domestic or sexual abuseⁱⁱ, a statistic that underscores the intersection of victimization and criminalization within the justice system.

One focused study of two large female prisons conducted by Stanford University's Criminal Justice Center showed that 74% of those incarcerated experienced intimate partner violence (IPV) in the year prior to their offense.ⁱⁱⁱ

Overall, women are overwhelmingly incarcerated for non-violent offenses, including property crimes and drug-related charges.^{iv} These offenses frequently stem from structural inequalities such as poverty, lack of access to stable housing, and limited employment opportunities, all factors that may stem from or be compounded by abuse and trauma.

Narratives from incarcerated survivors in Connecticut reveal patterns of coercive control, constant physical violence, sexual assault, and isolation. Survivors describe being financially restricted, stalked, threatened, and repeatedly assaulted over long periods of time. These experiences shape survival responses such as compliance, substance use, or participation in illegal activity under coercion.

Victims often become trapped and the abuse and traumas they experience lead to behaviors that are later detrimental and shape pathways into criminalized behavior, including:



Arrests for acts while defending themselves



Theft due to financial instability from abuse



Being coerced by abusive partners into illegal activities



Substance use linked to trauma

These are not just hypotheticals, we have seen survivors across the country live these realities and become entangled in the criminal justice system. In New York, for example, one survivor who received relief under the SJA was coerced into serving as a driver for a string of robberies by her boyfriend, who threatened to harm her children if she refused. In one robbery, her abuser shot someone. After cooperating with prosecutors and testifying against him, this survivor was still sentenced to ten years in prison plus 5 years of post-release supervision.

THE CONSEQUENCES OF TRAUMA-BLIND SENTENCING

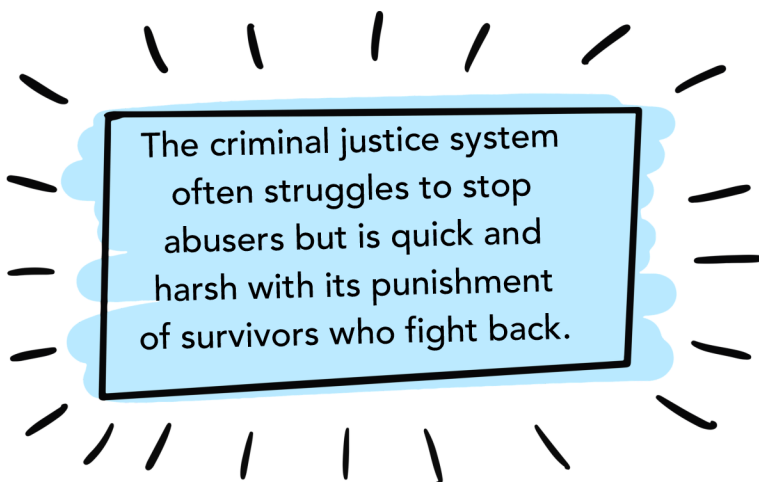
When courts do not use a trauma-informed approach, survivors face punishment layered on top of years of victimization. Long prison sentences separate parents from children, disrupt families, and leave survivors' trauma untreated. Families lose caregivers and children experience instability and trauma that increases their own risk of future harm and system involvement. Communities already affected by poverty and racial inequities absorb further disruption, creating future cycles of incarceration and violence.

Implementation of the SJA stands to bring social and monetary savings to the State of Connecticut. Unnecessarily harsh punishments remove survivors from society, regardless of the role abuse played in the offense, and cost the state money that could be utilized elsewhere.

Fiscal analyses of survivor justice legislation passed in New York and Oklahoma stated that the reduction in sentences will lead to savings for the state.^v In New York, since the law's inception, over 234 years of needless incarceration for survivors has been reduced, leading to dramatic savings for the state and reducing the burden on its criminal justice system. These monetary savings paired with minimizing unnecessarily harsh sentence lengths for survivors will create a more equitable and trauma-informed system that benefits individuals and the state as a whole.

NEED FOR A FLEXIBLE, TRAUMA-INFORMED SENTENCING SYSTEM

Despite the link between victimization and the commission of crime, the justice system sometimes fails to account for these dynamics during prosecution and sentencing. Sadly, the criminal justice system is one that often struggles to stop abusers but is quick and harsh with its punishment of survivors who fight back. Instead of adopting trauma-informed approaches, courts impose rigid measures that disregard the context of abuse and often compound it by blaming survivors for not leaving or seeking help sooner.



In Connecticut, over 70 crimes carry mandatory minimum sentences that apply regardless of the circumstances of the crime, requiring that the court minimize or negate the role abuse played in the survivors' offense. This restricts judicial discretion and silences survivors' experiences while disproportionately impacting them in the sentencing process.

By making our sentencing process more trauma-informed, we would also be tackling inequities seen within the criminal justice system. Per New York's Survivors Justice Project, of the 79 survivors who received reduced sentences under New York's SJA between May 2019 and February 2026, 86% were women and 75% were people of color. (Note: as of 2023, NY's overall prison population was 49% Black, 24% Hispanic, and 23% White.^{vi})

In Connecticut's prison system, women of color have disproportionate rates of arrest, conviction, and incarceration. Survivors from marginalized communities often face compounded barriers to safety, legal representation, and support services. The Survivor Justice Act offers a pathway toward equity, relief, and fairness by ensuring sentences reflect lived realities and are fair while preserving public safety.

STATES THAT HAVE PASSED SURVIVOR JUSTICE LAWS



New York



New Jersey



Illinois



Oklahoma



Georgia

CORE PROVISIONS OF THE SURVIVOR JUSTICE ACT

1

Allows for prospective reductions by implementing a **trauma-informed sentencing framework**. This is done by allowing courts to consider evidence of domestic violence, sexual assault, stalking, and trafficking that was a contributing factor to the defendant's offense.

2

Judges retain discretion in determining whether the defendant's documentation meets the burden of proof and that they prove their case by **clear and convincing** evidence in order to access sentencing relief under the law.

3

The SJA also allows for **retroactive sentence reductions** by creating a mechanism for sentence modification for survivors currently incarcerated. Courts may deny relief if the evidence threshold is not met or the proof is insufficient.

4

If the criteria is met, the **court departs from the applicable sentence**, including if there is a mandatory minimum, and grants the defendant sentencing relief.

The legislation is not a second bite at the apple – it does not overturn convictions or eliminate accountability. Rather it aligns punishment with the reality of abuse and trauma, recognizing the pathways to incarceration for many survivors of gender-based violence. By codifying trauma-informed sentencing, the SJA brings Connecticut's criminal justice practices into alignment with modern understanding of victimization and its resulting behaviors.

SENTENCING RANGES & JUDICIAL DISCRETION

We urge that House Bill 5306 include mandatory relief for survivors who have documentary proof that satisfies the court that they are a survivor and can prove by clear and convincing evidence that their victimization was a significant contributing factor to the commission of their crime.

Establishing sentencing ranges is the role of the legislature. Connecticut's existing felony sentencing statute includes sentence ranges set by the legislature within which judges **MUST** sentence convicted defendants. House Bill 5306 proposes that those ranges be reduced by at least 50% with judges retaining discretion to reduce the sentence further when warranted.

House Bill 5306 increases judicial discretion with respect to Connecticut's 70+ mandatory minimum sentences which tie judges' hands and apply regardless of the circumstances of the crime.

CONCLUSION

The Survivor Justice Act represents a critical modernization of Connecticut's approach to justice. By recognizing trauma and survival behaviors, this legislation advances fairness, strengthens families, and enhances public trust in the legal system. Trauma-informed sentencing does not excuse harm - it ensures accountability is grounded in reality and that survivors are no longer punished for trying to survive. Enacting the Survivor Justice Act would position Connecticut as a leader in evidence-based, trauma-informed sentencing reform, affirming that individuals, dignity, and fairness must remain central to the pursuit of public safety.

SOURCES

i Vera Institute of Justice. Incarceration Trends in Connecticut. (December 2019) Downloaded 3.26.26 at <https://vera-institute.files.svdcn.com/production/downloads/pdfdownloads/state-incarceration-trends-connecticut.pdf?dm=1574810031>.

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iii Stanford Criminal Justice Center. Fatal Peril: Unheard Stories From The IPV-To-Prison Pipeline. Page 9. (November 2024) Downloaded 3.26.26 at <https://law.stanford.edu/wp-content/uploads/2024/08/Fatal-Peril-Final.pdf>.

iv Prison Policy Initiative. Women's Mass Incarceration: The Whole Pie 2024 (March 2024). Downloaded 3.26.26 at <https://www.prisonpolicy.org/reports/pie2024women.html>.

v NY - <https://www.nysenate.gov/legislation/bills/2019/S1077>; OK - https://www.oklegislature.gov/cf_pdf/2023-24%20SUPPORT%20DOCUMENTS/BILLSUM/House/SB1835%20CCR%20AND%20BILLSUM.PDF

vi Data Collaborative for Justice. Trends in the New York State Prison Population 2008 - 2023. Downloaded 3.26.26 at <https://datacollaborativeforjustice.org/wp-content/uploads/2023/07/PrisonPop.pdf>.

WHO IS CCADV?

Connecticut Coalition Against Domestic Violence, Inc. (CCADV) is the state's leading voice for domestic violence victims and those organizations that serve them. Our coalition is comprised of Connecticut's 18 domestic violence service organizations that provide critical support and services to survivors across our state. Services include:

- Safety planning and risk assessment
- Emergency shelter, transitional housing & rapid rehousing
- Individual counseling and support groups
- Advocacy to access basic needs
- Restraining order application assistance
- Criminal court-based advocacy
- Age-appropriate advocacy and support services for children & teens
- Community education & prevention

The Center for Family Justice
Bridgeport

Interval House
Hartford

Prudence Crandall Center
New Britain

The Center for Empowerment & Education
Danbury

Project SAGE
Lakeville

Safe Futures
New London

Domestic Violence Program United Services, Inc.
Dayville | Willimantic

Chrysalis Domestic Violence Services
Meriden

Domestic Violence Crisis Center
Norwalk | Stamford

The Network
Enfield

New Horizons CHC, Inc.
Middletown

Susan B. Anthony Project
Torrington

Harmony Project YWCA Greenwich
Greenwich

The Umbrella Center for Domestic Violence Services BHcare
New Haven | Shelton



CTSafeConnect

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CCADV operates CT Safe Connect, Connecticut's 24/7 domestic violence information and resource line. Safe Connect offers a statewide, coordinated entry point to domestic violence services provided by CCADV's 18 member organizations. Bilingual Safe Connect Advocacy Coordinators will assess your needs and get you connected to your local service provider. All services are safe, free, confidential, and voluntary.