

SUPPORT THE SURVIVORS JUSTICE ACT

Trauma-informed sentencing for survivors.

WHAT IS THE SURVIVORS JUSTICE ACT?

The Survivors Justice Act (SJA) significantly reduces harm to survivors of gender-based violence in Connecticut by giving the justice system the power to reduce a survivor's punishment if domestic violence, sexual assault, stalking or trafficking were related to the commission of their offense. It also allows currently incarcerated survivors to apply for sentence modification under certain circumstances and with defined documentary evidence.



EXPANDED JUDICIAL DISCRETION

The SJA empowers courts to reduce a sentence if gender-based violence was related to a survivor's offense.



TRAUMA-INFORMED

The SJA provides a more trauma-informed framework for the sentencing of gender-based violence survivors.



NOT A SECOND BITE AT THE APPLE

The SJA does not allow an already decided case to be relitigated. It simply changes sentencing guidelines.

HOW DOES THE SJA HELP?

- **It increases justice and equity.** In Connecticut, the number of women in prison has risen sixfold since 1978, but their experiences of surviving violence, particularly for women of color, have gone unrecognized within the system. Of the 58 people who received reduced sentences during the first 5 years of New York's SJA, nearly 90% were women and nearly 70% were people of color. By mitigating punishment for common survival strategies, the SJA makes CT's justice system more equitable.
- **It saves the state money.** Three fiscal notes added to New York's SJA law indicated that it will likely save the state funds.

WHY DOES CONNECTICUT NEED THE SJA?

- For survivors of gender-based violence, common pathways into criminalization include self defense, housing insecurity, drug use, and coercion into an offense by an abuser. In New York, for instance, a SJA recipient had an abusive boyfriend who threatened to harm her children if she did not serve as a driver in his robberies. The SJA ensures Connecticut law keeps pace with our evolving understanding of gender-based violence.
- In Connecticut, over 70 crimes carry mandatory minimum sentences. This means that survivors can sometimes face severe punishment for offenses that are directly related to their victimization. Under the SJA, sentences can more easily be adapted to unique experiences, allowing the court to hold survivors accountable while recognizing their trauma.

STATES THAT HAVE PASSED SURVIVOR JUSTICE LAWS*



*Efforts also underway in Massachusetts, Louisiana, Oregon, and Minnesota

COULD THE SJA BE MISUSED OR OVERUSED?

- **Existing laws suggest otherwise.** Analysis of SJA laws in three U.S. states indicate that these laws are being used exclusively by gender-based violence survivors at a very reasonable rate. As in those states, people seeking relief under the SJA in Connecticut would have to provide documentary evidence of being a survivor and prove to a judge that their victimization was related to the commission of their offense.