

WHAT IS THE DOMESTIC VIOLENCE SURVIVORS JUSTICE ACT?

The Domestic Violence Survivors Justice Act (DVSJA) 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, stalking, sexual assault or trafficking were a contributing factor in their offense. It also allows currently incarcerated survivors to apply for sentence modification under carefully defined circumstances and evidentiary standards.



EXPANDS JUDICIAL DISCRETION

The DVSJA empowers courts to reduce a sentence if domestic violence was a contributing factor in a survivor’s offense.



NOT A SECOND BITE AT THE APPLE

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



TRAUMA-INFORMED

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

WHY DOES CONNECTICUT NEED THE DVSJA?

- Studies consistently show a strong correlation between domestic violence and a higher risk of incarceration. The DVSJA mitigates the double punishment many survivors face: the abuse itself and the criminalization of common survival strategies.
- For survivors of domestic 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 DVSJA recipient had an abusive boyfriend who threatened to harm her children if she did not serve as a driver in his robberies. The DVSJA 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 gender-based violence survivors can sometimes face severe punishment for offenses that are directly connected to their victimization. Under the DVSJA, sentences can more easily be adapted to their unique experiences.

STATES THAT HAVE PASSED DV SURVIVOR JUSTICE LAWS*



Oklahoma



New York



Illinois

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

A MORE TRAUMA-INFORMED APPROACH TO SENTENCING FOR SURVIVORS OF GENDER-BASED VIOLENCE

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A 2024 survey of 650 people serving time in two California women’s prisons found that....

74% experienced intimate partner violence (IPV) in the year before their offense

This is an IPV rate 10 times higher than U.S. women in general. Of incarcerated women who experienced IPV:

66% were in extreme danger of being killed by their partner

60% had partners who choked or strangled them

64% had partners who forced them to have sex

“Our practices of...punishment have long failed to take adequate account of the realities of intimate partner violence...”

— David Slansky, Co-Director, Stanford Criminal Justice Center

MOST CASES DON'T INVOLVE MURDER

A 2024 analysis found that 78% of sentence modifications made under New York’s DVSJA law did not involve murder or attempted murder charges.

HOW DOES THE DVSJA HELP?

- **It increases justice.** In Connecticut, the number of women in prison has risen sixfold since 1978, but their experiences of violence have often inadvertently gone unrecognized within the system. By introducing a framework for reducing a sentence when gender-based violence is a contributing factor in an offense, the DVSJA creates more justice for survivors.
- **It increases equity.** In the U.S., women and especially women of color are disproportionately criminalized for common ways of surviving abuse. Of the 58 people who received reduced sentences during the first 5 years of New York’s DVSJA, nearly 90 percent are women and nearly 70 percent are people of color. By mitigating punishment for common survival strategies, the DVSJA makes CT’s justice system more equitable and proportional.
- **It saves the state money.** Three fiscal notes added to New York’s DVSJA law indicated that it will likely save the state funds.



COULD THE DVSJA BE MISUSED OR OVERUSED?

- **Existing laws suggest otherwise.** Analysis of DVSJA 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 DVSJA in Connecticut would have to provide documented proof of being a survivor of gender-based violence using criteria developed in collaboration with domestic violence organizations.

OUR MEMBERS

