Experiences of victimization can shape pathways into the criminal justice system, particularly for women whose offenses may be connected to histories of domestic violence, sexual abuse, or trafficking. In response, a growing number of states have adopted survivors justice laws, allowing courts to consider evidence of abuse during sentencing and resentencing in an effort to better align accountability with individual circumstances.

The Council on Criminal Justice and a panel of experts examined how these laws are being implemented, what challenges have emerged, and what policymakers and practitioners can learn from early experience across states.

Panelists

- Stephanie Akhter, Director, CCJ Women's Justice Commission
- David Martin, Senior Deputy Prosecuting Attorney, King County, Washington
- Dalia Racine, District Attorney, Douglas County, Georgia
- Jane-Roberte Sampeur, Executive Director, Still She Rises (Tulsa, Oklahoma)
- Jillian Snider, Resident Senior Fellow, R Street Institute; Retired NYPD Officer
- Khalil Cumberbatch, Director of Engagement and Partnerships, Council on Criminal Justice

Additional Information and Resources

The following states have passed survivors justice laws to allow judges to consider victimization as a mitigating factor in sentencing:

- Illinois
- New York
- Oklahoma
- Georgia
- New Jersey

Similar legislation has been proposed and is pending in several other states. In addition, the American Legislative Exchange Council adopted a model Survivor Justice Act, which can be used as a framework for states.

The following organizations can answer technical questions about the laws and differences by state, as well as provide implementation guidance and additional resources.

- The Battered Women's Justice Project: cpezzell@bwjp.org
- The Survivors Justice Project: judith.clark@sjpny.org
- The Center on Gender Justice and Opportunity at Georgetown Law: epsteinr@georgetown.edu
- Foundation for Judicial Discretion: alexandraomb@gmail.com
- The Brooklyn District Attorney's Office: perlmanl@brooklynda.org