

## YWCA Survivors FIRST Program

### FACILITATING INTERVENTIONS AND RESOURCES FOR SURVIVORS OF TRAUMA

The criminal justice system prioritizes services and interventions for defendants who are veterans, have substance abuse or mental health issues, and youth. Although the connection between victimization and crime is well recognized, defendants with a history of gender-violence victimization receive no priority nor service. There are **no** diversion programs for victims of gender-based violence in the United States.<sup>i</sup> Survivors FIRST (Facilitating Interventions and Resources for Survivors of Trauma), changes that by providing past victims of gender-based violence who return to the criminal justice system as defendants a second look and a second chance.

Many victims of gender-based violence, predominantly women and girls, enter the criminal justice system as defendants as a result of their victimization. Research and common experience show women charged with a crime are overwhelmingly survivors of gender violence.<sup>ii</sup> Report after report on women's incarceration shows high rates of abuse and trauma among incarcerated women.<sup>iii</sup> The vast majority of women in jails and prisons were abused before imprisonment, and almost all incarcerated women experienced domestic violence or sexual abuse in childhood.<sup>iv</sup> Of equal concern, rates of female incarceration are high as incarceration rates are in decline.<sup>v</sup> The link [between surviving violence and incarceration](#) has created an "[abuse-to-prison pipeline](#)."

The criminal response, however, only tells part of the challenge faced by victims and their children. The [2015 Washington state Supreme Court Civil Legal Needs Study](#) details how victims of gender-based violence face significant civil legal problems that affect every aspect of their lives from family, health care, credit, housing, education and access to essential governmental benefits and services.<sup>vi</sup>

Survivors FIRST is a partnership between the YWCA of King County and the King County Prosecuting Attorney's Office (KCPAO) that identifies justice-involved survivors of gender-based violence<sup>vii</sup> and connects them to culturally specific services at the YWCA. The partnership is funded by a two-year Victims of Crime Act (VOCA) grant that supports unmet

service needs for victims of crime. The program supports YWCA's service priority (Black/African American participants and those groups furthest from opportunity). The result is 91 women referred for services from fall 2019 to present.

Outreach has included training at the Seattle University DV Symposium, to prosecutors in King County, city attorneys in Bothell, Bellevue, Renton, and Seattle. The effort is expanding through partnership with the [IF Project](#), a reentry organization dedicated to incarcerated women.

The challenge facing Survivors FIRST is a lack of resources to offer diversion to justice-involved survivors of gender-based violence. Under the strict guidelines of the VOCA grant services to "offenders" is not permitted. The YWCA and KCPAO are committed to finding separate funding to expand Survivor's FIRST and build diversion.

### **Referral eligibility criteria:**

The program identifies individuals referred for adult criminal prosecution as having prior history of gender-based violence victimization. Eligibility is broad. The individual must be identified by the criminal justice system or verified by a community-based victim service agency:

- Victim in a filed/unfiled criminal case of gender-based violence (e.g. AOC JABS data listing as a victim in a past charged criminal case (dismissed or convicted)).
- Petitioner or protected party in a No contact/anti-harassment/protection orders.

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<sup>i</sup> Phone call with Sue Stoff, Executive Director of the Clearinghouse for the Defense of Battered Women. There are post charging therapeutic courts for trafficking in Nashville, a developing therapeutic court for survivors in Denver, and a jail services program in Maine for incarcerated women.

<sup>ii</sup> "Understanding the Link Between Violence Against Women and Women's Participation in Crime" The National Institute of Justice, Washington, D.C. (1999)." Harlow, C.W., *Prior Abuse Reported by Inmates and Probationers*, Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, 1999, NCJ 172879. Osthoff, S., National Clearinghouse for the Defense of Battered Women (1999); New York State Coalition Against Domestic Violence, "Domestic Violence Hearings Held at Bedford Hills Correctional Facility," *New York State Coalition Against Domestic Violence Newsletter*, April 1985; Richie, B., and C. Johnson, "Gender Violence, Incarceration and Women's Health: The Prevalence of Abuse History Among Newly Incarcerated

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Women in a New York City Jail,” *Journal of the American Medical Women’s Association* 53 (2) (1996): 89–93; Richie, *Compelled to Crime*; see also *Victimized twice by their abusers: When DV drags women in the criminal justice system* <http://www.nydailynews.com/opinion/ny-oped-victimized-twice-by-their-abusers-20191022-v2eoz7prevbrncqlye22nrqmtm-story.html>

<sup>iii</sup> See “Women in Jail and the Criminalization of Survivors” October 30, 2019, retrieved from <https://theappeal.org/women-in-jail-and-the-criminalization-of-survivors/>

<sup>iv</sup> See Ostoff and Sandusky, *A Toolkit for Systems Advocacy on Behalf of Victims of Battering Charged with Crimes* (2016), National Clearinghouse for the Defense of Battered Women; see also *Women’s Experiences of Abuse as a Risk Factor in Incarceration*, Dichter & Osthoff, VAWnet, 2015. See also [2016 report](#) from the Vera Institute of Justice, “[Overlooked: Women and Jails in an Era of Reform](#)”, 86 percent of women in jail, have a history of abuse and 77 percent have a history of intimate partner violence.

<sup>v</sup> Kajstura, A. (2018, June) *States of Women’s Incarceration: The Global Context 2018*. *Prison Policy Initiative*. Retrieved from <https://www.prisonpolicy.org/global/women/2018.html>

<sup>vi</sup> The relationship between victimization and subsequent involvement in the legal system has sparked some international innovation. The city of London, England, has called for a review of criminal justice response to women, finding many female offenders are victims of crimes themselves. See City of London, England Mayor’s Office for Policing and Crime, “A long way from home—Improving London’s response to women in the criminal justice system” (July, 2018).

<sup>vii</sup> Gender based violence includes crimes of domestic violence, sexual assault, trafficking, and child abuse.