Gender and Culturally-Responsive Approaches for Justice-Involved Women in Problem-Solving Courts

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Agenda

✓ Impact of Trauma on Growth & Development
✓ Pipeline to Domestic Sex Trafficking
✓ Impact of Treatment Court Model on Justice Involved Women and Victim- Defendants
TRAUMA: WHAT IS IT AND WHY DOES IT MATTER?

Results from an event, series of events, or set of circumstances that is experienced by an individual and/or communities as physically or emotionally harmful or threatening and that has lasting adverse effects on the individual's and/or communities functioning and physical, social, emotional, or spiritual well-being.

Micro (interpersonal trauma) and Macro (systemic trauma and oppression) experiences.
Components of Trauma

Event (objective)

Experience (subjective)

Impact (behavioral response)
How does trauma impact developing youth?

....It depends...
Impact on Brain

FIGHT
FLIGHT
FREEZE

Trauma Reactions

Trigger
Intolerable feeling/experience

Reaction

Substance Use Violence Disappearing Self-Harm Dissociation

Impact on Brain:
- Abstract thought
- Concrete thought
- Attachment
- Sexual behavior
- Emotional reactivity
- Motor regulation
- Appetite/Satiety
- Sleep
- Blood pressure
- Heart rate
- Body temperature

Trigger:
Intolerable feeling/experience

Reaction:
- Substance Use
- Violence
- Disappearing
- Self-Harm
- Dissociation
# Overview of Interpersonal & Systemic Trauma and Oppression

## Interpersonal
- Childhood sexual abuse
- Childhood physical abuse
- Verbal/emotional abuse
- Domestic/sexual violence
- Rape
- Neglect

## Systemic
- Court System
- Foster care
- Education
- Incarceration
- Police/law enforcement
- Health care

## Structural
- Sexism
- Racism
- Poverty
- Homophobia
- All other -isms
MONTHLY ABUSE FOR WOMEN:

- Sexual assault or child sexual abuse.
- About one in three women will experience a sexual assault in their lifetime. Rates of sexual assault are higher for women than men.
- Women are also more likely to be neglected or abused in childhood, to experience domestic violence, or to have a loved one suddenly die.
80% of female offenders with diagnosed mental illness report having been physically and/or sexually abused.

More than half (58%) of state prisoners and two-thirds (63%) of sentenced inmates meet criteria for drug dependence or abuse.

Appx. 7 in 10 women in state prison (69%) or jail (72%) meet criteria for drug dependence or abuse.

75% of women and men in substance abuse treatment report histories of trauma.
Why is this important?

- Youth who experience childhood trauma and neglect are 59% more likely to be arrested as a juvenile, 29% more likely to be arrested as an adult and more likely to commit violent crime.
Interpersonal Trauma: Trauma Reactions

- Best understood as adaptations to survive and are logical in the context of trauma.

- People will do whatever it takes to survive their experience and pain – RESILIENCY!

- Trauma reactions often misdiagnosed or overlooked as symptoms of other mental illness.
TRAUMA REACTIONS

PTSD

Substance Abuse

Child Abuse

Suicidality

Employment/Housing Instability

Violence

Petty Theft/Shoplifting

Mental Health

Depression/Anxiety

Re-victimization

Self-Harm/Mutilation

Isolation
Continuum of Sexual Abuse, SEC, & CSEC

Child Sexual Abuse
- Linking of “love”, sex, and abuse
- Violation of boundaries
- Guilt & shame
- Low self-esteem
- View self as sexual object
- Run away/homeless
- Poverty & need

Sexual Exploitation of Children (SEC)
- Unequal power dynamics of adult/child relationship
- Media influence
- Demand: billion dollar sex industry
- Approached by recruiters, pimps, traffickers

Commercial Sexual Exploitation of Children (CSEC)
Secrecy

Shame

Silence

Trauma
• Childhood Sexual Abuse
• Childhood Physical Abuse
• Verbal/Emotional Abuse
• Domestic/Sexual Violence
• Poverty
• Rape
• Neglect

Secrecy

Silence

Shame

Trauma
Definition: Trafficking Victim

Many states have their own specific trafficking legislation, the Trafficking Victims Protection Act of 2000 (TVPA) defines trafficking as:

- The recruitment, harboring, transportation, provision, or obtaining of a person for sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

- labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Coercion includes threats of physical or psychological harm to children and/or their families. Any child (under the age of 18) engaged in commercial sex is a victim of trafficking.
What makes these cases different from other cases you may see?

- **Complex Trauma**
  - Trauma Reactions: Substance Abuse/Mental Health Challenges

- **Abuser/Exploiter/Trafficker/Pimp**
  - Issues of Intimate Partner Violence/Domestic Violence and Sexual Assault
  - Stigma/Judgment/Shame

- **Recidivism: Victim/Defendant Paradigm**
  - Recidivist and reoffending behavior with open cases/warrants
  - Leaving/Escape takes time
  - Complications of self-identity as victim-defendant
Ineffective Approach/Strategy

- Mixed messages from court and providers
- Mandate not fitting the crime
- Expectation of victims to behave like “good victims”
Spectrum of Experiences of Victim/Defendants

Justice Involved Women
Victim/Defendants

- Active Criminality
- Criminal History
- Voluntary Sex Work/Survival Sex/DV/Child Abuse/Drug Use/Loitering
- Profiled/Live in highly policed areas/Homelessness
- Wrong Place/Wrong Time
Successful Intervention Strategies

- Assessment – i.e. Hidden Victims Assessment
- Trauma-informed services
- Short term and long term
- Programming specific to justice involved victim/defendants
  - Drug Court/Domestic Violence Court (women who use force)
  - Mental Health Court
  - Human Trafficking Intervention Court
- Capacity building to improve response
  - Example: Hidden Victims Project- Diversion
  - Example: Project SAFE (Services & Fundamental Enhancements) for Justice-Involved Women- Training & Technical Assistance
**Treatment Court Model Overview**

**Goal**
- connect victims and potential victims of trafficking to services
- offer better legal dispositions to help reduce the number of criminal convictions and criminal records
  - Dismissals
  - 440 motions/vacating records
  - Safe Harbor

**Design**
- Short term (proportional) mandates
  - General offers: 5-10 sessions
  - Engage and connect

**HTIC Model Includes**
- Dedicated Judge
- Defense Team
- Service Coordinator
- Prosecutors
- Service Providers

**Challenges**
- Victim/Defendant
- Victims don’t identify as victims
- Victims of crime and oppression without being victims of trafficking/DV/SA
- Politics
- Resources
- Stigma
- Populations vary by area
Effective Interventions for Justice Involved Women
Goal: Engagement and Support

**Trauma-informed and strengths-based**
- Reduce stigma/pathology
- Breaking silence
- Self-determination
- Honor survival

**Community of Services**
- Basic: food, shelter, clothing
- Crisis Intervention: Parenting/Batterers/Health Care Access
- Substance Abuse Treatment/Rehabilitation
- Trauma Informed Counseling- DV/SA Specific
- Education/Vocation/Employment
- Continuum of support – “Keep showing up”
Barriers to Access Services

- Limited life skills to access services
- Lack of information on availability of services
- Lack of ID/Medicaid/Documents
- Feelings of awkwardness dealing with people outside of life
- Fear of being mistreated/judged
- Some contact with services/organizations for other reasons/overwhelmed
- Do not identify as victim/survivor

Trauma Catch-22

- Telling the truth to get help is extremely difficult & challenging
- Having to admit feelings & emotions linked are triggering
- Sharing true feelings can be dangerous, life threatening and intolerable
- No immediate results and change
MOVING TOWARDS TRAUMA-INFORMED MODEL!

**Traditional models:**
- What’s wrong with you?
- Why?
- Blaming
- Power and control
- Hierarchical
- Over reliance on diagnosis
- Crisis intervention as priority

**Principles of TI Care:**
- What’s happened in your life? What’s happened to you? I’m sorry that happened to you….
- Trauma reactions are normal in context of experience
- Transparency, flexibility, and firm boundaries
- Practitioner AND client have knowledge
- Harm reduction & safety as priority
Why is this so challenging?

- We’re human
- Requires living in the gray
- Acknowledging world disparities
- Impact of trauma and vicarious trauma
- Our expectations v. reality
Questions & Answers
Contact

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