

Date: _____

Dear Senator _____,

I am writing to urge you to support the **Domestic Violence Survivors Justice Act**. This bill, which passed the Assembly on May 3 with a 100-36 vote, will allow New York to take a significant step toward addressing the years of injustice faced by DV survivor-defendants whose lives have been shattered by abuse. By establishing a more fair and compassionate sentencing structure for survivors convicted of crimes directly related to the abuse they suffered, the Act makes it less likely that survivors will be victimized by the very system that should protect them.

The bill would: (1) allow judges to sentence survivors to shorter prison terms and, in some cases, community-based alternative-to-incarceration programs instead of prison, and (2) provide survivors currently in prison the opportunity to apply for resentencing, granting much-deserved relief for incarcerated survivors who pose no threat to public safety. The Act contains protections to ensure appropriate use of this discretion. Eligibility is limited to those who were living with abuse at the time of the offense and resentencing is limited to those confined to DOCCS who are serving eight years or more.

Eligibility for shorter prison terms and alternative to incarceration programs (ATIs) for domestic violence survivors is particularly appropriate, as they most often have no prior criminal records, no history of violence, and extremely low recidivism rates. Community-based ATIs are far more effective than prison in helping survivors to recover from abuse, rebuild family relationships, and positively participate in their communities. Allowing survivors to live in the community while serving sentences also permits them to maintain ties to children and reduce the trauma of separation, thereby giving children the support they need to become healthy, productive adults.

New York can save substantial costs by sentencing DV survivors to lower sentences and alternative programs. It costs approximately \$55,000 per year to incarcerate a person in a New York State prison, and only about \$11,000 per person per year for an ATI program in New York City. ATIs can save taxpayers tens of thousands of dollars each year. Domestic and international human rights standards uphold the right of women – and all people – to live free from violence. Our government has recognized its responsibility to preserve this right and provide support for DV survivors. This responsibility does not end when a survivor becomes involved in the criminal justice system because of the abuse she suffered. The lack of adequate protection, intervention and support is what often leads to this involvement in the first place.

I strongly urge you to support the DV Survivors Justice Act, crucial legislation for survivors of domestic violence and for community members in your district and across the state.

Thank you for your consideration,

Signature _____ Print Name _____

Full Address _____

Zip _____

Please return completed letter to the Women in Prison Project of the Correctional Association of New York, by mail: Attn: Anisah Sabur, 2090 Adam Clayton Powell Blvd., Suite 200, New York, NY 10027, or fax to the attention of Anisah Sabur at (212) 473-2807.