Beyond Innocence
Toward a Framework for Serving All Survivors of Crime

Our media, our culture, and even some of our statutes continually reinforce the idea that in order to be deserving of care, a victim of crime has to be innocent. Sometimes innocence is tied to some intangible yet narrow notion of purity that our culture uses to assign value and, most often, recognize vulnerability.

Sometimes innocence is a matter for the courts, the opposite of legally determined guilt. And sometimes innocence sits in statute, as with the regulations that guide the distribution of Victims of Crime Act (VOCA) funds and require that these supports go only to “innocent” victims. In spirit and practice, both intentionally and inadvertently, this idea of “innocence” excludes a wide range of people from services and limits the options and resources available to people who survive serious harm.

But the pervasiveness of this framing is not reflective of the wisdom of victim service providers, many of whom understand deeply the ways this framing can be harmful to the victims they serve and to their ability to provide services effectively. In this booklet, you’ll hear from people who work with a range of people who have experienced violence, including survivors of sexual assault and domestic violence, young men of color harmed by street violence, LGBTQ survivors, survivors with disabilities, survivors engaged in sex work, survivors of human trafficking, incarcerated survivors of sexual assault, and others.

Together, these writers explore the limitations posed by our existing framework and point to ways forward that better uphold the values of equity, public safety, and human dignity. At Common Justice, it is our hope that this conversation will be a meaningful step toward advancing a framework that takes us beyond innocence toward a commitment to serving all survivors of crime.

Danielle Sered
Director, Common Justice

About Common Justice
Common Justice, a demonstration project of the Vera Institute of Justice, is an innovative victim service and alternative-to-incarceration program based on restorative justice principles. Located in Brooklyn, New York, the program works with young people, 16 to 24 years old, who commit violent felonies, and those they harm. Common Justice aims to reduce violence, facilitate the well-being of those harmed, and transform the criminal justice system’s response to serious crime. The program provides participants with a respectful and effective means of accountability, an equitable and dignified avenue to healing, and the tools to break cycles of violence.

For more information, visit www.vera.org/project/common-justice.

About Vera
The Vera Institute of Justice combines expertise in research, demonstration projects, and technical assistance to help leaders in government and civil society improve the systems people rely on for justice and safety.

For more information, visit www.vera.org
Preconceived notions of “innocence” are a disservice to trafficking victims

by Kate D’Adamo

Kate D’Adamo is a national policy advocate for the Sex Workers Project, an organization that provides client-centered legal and social services to individuals who engage in sex work, regardless of whether they do so by choice, circumstance, or coercion.

When speaking about human trafficking to audiences, I often ask them to describe their idea of a victim. I regularly hear the same tropes that dominate media and popular dialogue: cisgendered women (those who identify as the gender they were assigned at birth), naive and lacking agency, who experience trafficking as an isolated disruption from an otherwise idyllic life. In essence, they are manifestations of innocence.

But these narratives often fail to recognize the nuances and complexities of a person who has experienced a trafficking situation. And by failing to see these nuances, there is risk that a victim will be ignored by his or her community and the people best positioned to help.

I find that the stories of the victims with whom I have the privilege to work—first as a community organizer for folks in the sex trade and now at the Sex Workers Project—do not resemble the “innocent victim” described by audience members. These real victims are complex and powerful people whose lives started long before their trafficking experiences and will continue long after. Their stories are always far more complicated than simply “innocent” or “not.”

It is in these nuances that so much about trafficking and trafficking experiences can be learned, like how an undocumented status kept someone from reaching out for help when forced to do domestic labor. Or how a trans victim traded sex for the shelter their family and the city would or could not provide. Or that a history of arrests meant that no one could see beyond a victim's criminal record and reconcile the person in front of them with preconceived ideas of a victim.

We learn that these characteristics meant that even when a victim did reach out and actively sought services or support, the strength essential to their survival meant missing out on visas, benefits, or services at all.

Trafficking is not an identity, but an experience, one of many and often only an episode in a larger life story. Defining a person solely as a trafficking victim erases his or her existence before and after that singular experience, forever associating him or her with this event and only in relationship to his or her trafficker.

For people involved in sex work, the experiences of trading sex form a constellation. Many people will move in and out of trading sex under different circumstances that reflect the changes in their lives. Involvement in the sex trade can be one of many ways in which people survive before, during, and after an exploitative situation. Trading sex can also lead to justice system involvement in multiple ways that may make the same person both a victim and a criminal—many of those who have been in trafficking situations may have traded sex before or after that experience, carrying complicated arrest records—thus blurring the line between what constitutes victim and perpetrator, when the line should have never existed at all.

Personal ideas of innocence and victimization say more about the person that holds them than they do about the real victim standing before them. The strength a person shows in how they are able to survive against incredible challenges should not convince us that they are not in need of justice or services. It should inspire us to challenge our own notions of “deserving” and “not.”

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“Innocent victimhood” means justice denied for people with disabilities

by Amy Judy

Amy Judy joined Vera’s Center on Victimization and Safety in June 2015. For over 20 years, she has worked on state and national level policy and program development, legal and personal advocacy, and training with and about individuals with disabilities and victims/survivors of sexual assault and domestic violence.

Crime victims with disabilities—who routinely face significant access-related barriers to justice—experience additional and unique obstacles when an unrealistic standard of “innocent victimhood” is applied. The myth that there are expectations of what victims of sexual assault and domestic violence should do and how they should respond results in greater disparity in the pursuit of criminal justice for the millions of people with disabilities and Deaf people. This despite the fact that they are three times more likely to experience violent victimization than people without disabilities.

Why? For this already marginalized population, justice is often denied because the “innocent victim” standard distorts two critical components of how the criminal justice system operates in practice:

- Who is deemed worthy of justice (already a difficult barrier to surmount for people with disabilities based on the historical oppressive treatment they have experienced and modern-day stigmas); and
- The resulting responses (or lack thereof) that flow from those determinations of worthiness.

Though progress has been made—rape shield laws, for example—the actions and behaviors of victims are often focused upon in sexual assault cases. The “perfect” victim often is expected to fight off her or his attacker or tell them to stop. A victim with a physical or neurological disability may not be able to, however. She or he might not be able to either physically resist or call for help or understand the assault is a crime. As a result, she or he may go along with what is happening as a result of lifelong training to comply with the demands of those in charge or a lack of opportunity to learn about personal boundaries, healthy relationships, and healthy sexuality, to name a few. Applying the “innocent victims” framework deems these people to be less victim-like.

A harmful consequence of this standard is its effects on crime reporting, especially sexual assault. Experience working with this population suggests that victims with disabilities—or other people in their lives—might not report an assault in fear that they won’t be believed or are somewhat responsible for the crimes committed against them. Reporting an assault could also lead to increased scrutiny and greater limitations placed on a victim, such as greater restrictions in their freedom to be out in the community, more rules about what they can and cannot do or whom they can associate with, and increased supervision by people—such as guardians, personal care attendants, and residential support staff—without disabilities. This increased “protection” results in greater isolation and loss of self-determination and autonomy in people’s lives.

Moreover, many crimes involving victims with disabilities are treated as incidences of abuse or neglect by disability-related services providers within a human services context, not as crimes. Support providers and many victims themselves will view whether to report the incident as a crime (versus an “incident” in human services systems) through a lens of whether the victim and the circumstances rise to the “innocent victim” standard. The standard, then, serves as a de facto gatekeeping mechanism to criminal justice.

Due to ingrained stereotypes, this framework also plays out differently depending on the type of disability a person has, and leads to a hierarchy of culpability. For people with intellectual disabilities, there are deeply rooted cultural stereotypes, such as people with Down syndrome considered forever as children and treated as such. Juxtapose that presumption with another deeply rooted stereotype that presumes people with psychiatric disabilities are “dangerous” and “volatile.” This disparity leads to a hierarchy of presumed culpability.

The credibility/culpability hierarchy also applies more generally. Experience working with this population suggests that people with disabilities as a whole are often considered less reliable witnesses, more prone to fabrication of stories, and to suffer less as victims than people without disabilities. As a result, every step of a criminal case—from the reporting of a crime to the police investigation to prosecution—is impacted to the detriment of victims. These deleterious effects result in reinforcing historical beliefs and actions that devalue the lives of people with disabilities.

Society in general—and particularly people who sit on juries and other criminal justice stakeholders—must abandon the “innocent victimization” construct and its credibility/culpability hierarchy to ensure that Deaf people and people with disabilities who are victims encounter individuals, organizations, and systems that recognize and respect them. Victims, regardless of ability, are worthy of justice.

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“Guilty victims” have suffered too, and deserve our care
by Kenton Kirby

Kenton Kirby is the director of trauma support services at the Crown Heights Community Mediation Center, an institution that works to improve community problem solving, collaboration, and inter-group relations in Brooklyn, New York.

I learned this summer that New York families devastated by homicide are eligible to have the burial costs for their loved one paid for by victim services, but only if the deceased was an “innocent victim.” This means that if a victim were involved in illegal activity that led to his or her death, the family would not be eligible for these benefits. The implicit message of these requirements is clear: some lives matter more than others.

The notion of an “innocent victim” means that there are “guilty victims,” and sadly, many young men of color impacted by violence or who are victims of crime are assumed to be “guilty victims.” I see it in my work at the Crown Heights Community Mediation Center in Brooklyn. Our “Make It Happen” program works with many young men of color with a history of violence, gang involvement, incarceration, and generational poverty.

Despite their circumstances, many of the decisions they have made throughout their lives were to help keep them safe in an unsafe world. Safety is everyone’s basic need. Some of the decisions that these clients may have made could have lead to another person being harmed. For these decisions, these young people should be held accountable, ideally in a manner that causes no further harm to them.

Significantly, many of these young men are victims of violent incidents that are unrelated to any past action in which they were involved. Why should a murdered young man’s family be denied survivor benefits just because he was a member of a gang when he was 14 years old?

Programs like “Make It Happen” are vital resources in our communities because they provide a supportive and healing environment for our young men of color and challenge this notion of “innocent victims” through advocacy efforts. Program participants are eligible for individual and group therapy, case management, mentoring, and advocacy. It is important for our clients to feel honored and respected, regardless of what personal obstacles brought them through our doors. Many of these young men would not consider getting help within a system they do not trust to adequately support their healing.

Many of the young men in our program have described horrific instances of personal victimization and they deserve equitable support as “innocent victims.” One moment that stands out for me was when one program participant described his own trauma history of family abuse and neglect, substance abuse, history of incarceration, and low self-worth—but still expressed a strong desire to make changes in his life. While in our program, he was making amazing strides towards healing, but unfortunately he was arrested and is now facing a lengthy prison sentence. Some people would look at his life and only see his incarceration, conviction, and criminal history. However, it is very important to be mindful of what this young man has experienced.

As a clinician, I never want to be in a position where I might have to explain to a young man that the system we live in treats his suffering as less important than that of others. It is an unfortunate reality, but that is the message many of our young black and brown men are receiving. In the “Make It Happen” program, we do not condone criminal actions, but we also feel that it is important to not lose sight of the pain and compounded trauma our clients have experienced.

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Trans and gender non-conforming people of color need us to do more

By Catherine Shugrue dos Santos and Chanel Lopez

Cat Shugrue dos Santos and Chanel Lopez work at the New York City Anti-Violence Project, which envisions a world in which all lesbian, gay, bisexual, transgender, queer, and HIV-affected people are safe, respected, and live free from violence. Its mission is to empower lesbian, gay, bisexual, transgender, queer, and HIV-affected communities and allies to end all forms of violence through organizing and education, and support survivors through counseling and advocacy.

K.C. Haggard, a transgender woman, was stabbed to death in Fresno, California in late July in front of multiple people who did nothing to help her. K.C.’s was the 11th homicide of a transgender or gender non-confirming (TGNC) person reported in 2015 by the National Coalition of Anti-Violence Programs (NCAVP). As of mid-September, that count has already reached 19—up 58 percent from the 12 reported in all of 2014.

In 2014, 80 percent of these victims were people of color, and 55 percent were transgender women of color. Too often, these homicides go unnoticed or misreported when the media mis-genders victims or does not use their preferred name. TGNC people like K.C. Haggard are being murdered in the streets, and not enough is being done to help them.

In addition, TGNC people of color experience disproportionate rates of poverty and homelessness and discrimination in housing and employment that remains legal in many states. Because of this, TGNC people need comprehensive services to support their emotional, physical, and financial health and safety in the aftermath of that violence. Yet we are not doing enough to provide this safety.

Most mainstream victim services agencies do not have TGNC-specific programming or culturally competent staff and most domestic violence shelters refuse to shelter trans women who are fleeing abusive partners. Many first responders—police, hospital workers, crisis interveners—profile, mis-gender, ignore, disrespect and, in some cases, abuse TGNC people, especially people of color. And because of past or present criminal legal system engagement—often due to mis-arrest as perpetrators in intimate partner violence incidents, identity-based police profiling, and being forced to turn to underground economies to survive—TGNC people often do not meet the criteria of the so-called “innocent victim” that are required to access crime victim compensation benefits. This forces them to bear the costs of the violence they experience without support.

More can—and must—be done, from ensuring that all victims programs and compensation benefits are open to and affirming of TGNC people of color, ending law enforcement profiling of trans women as sex workers, and treating all people equally and with respect. Every one of us needs to call people by the names and pronouns they choose, stop using slurs, and stop asking intrusive—and offensive—questions. It’s not enough to end violence against TGNC people, but it’s a start. And it’s what K.C. deserved and didn’t get. It is time for everyone to step up and stand up for trans and gender non-conforming communities of color. What will you do?

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Denying victim services to young men of color only adds to their pain

By Shameeka Mattis

Shameeka Mattis, a Brooklyn native, has worked with incarcerated and formerly incarcerated people and their families in Philadelphia since 2003. Her experience includes work in home and community-based intervention and reentry programs as well as work as a social worker in the prison itself.

When children are harmed or killed, it kicks us in the gut with a steel-toed boot. “How could someone hurt an innocent child?” we ask. But another important question is whether that empathy would still be extended if the victim was 12 or 22, suspended from school for carrying a weapon, armed at the time of his or her death, or previously arrested for assault. Would his or her harm be any less significant?

Caring for one another, especially when we’re hurt, is vital to our collective wellness and healing. Similarly, when people are harmed, acknowledgement and support should not be contingent upon how blameless or “innocent” we think they are—because everyone’s pain matters.

This misguided notion of “innocence” encourages us to discount victims we deem unworthy, giving us permission to discard so many people who—like all of us—are not perfect. Young men of color, in particular, are disproportionately underserved by victim services and related programs, in part because they aren’t regarded as innocent or as hurt. Consider, for example, the attempts to invalidate Freddie Gray’s murder by citing his criminal and substance use history. People deemed responsible for their own suffering are continuously denied assistance, shamed, and even incarcerated.

As the director of programs at Common Justice—a Brooklyn-based victim service and alternative-to-incarceration program primarily serving 16- to 24-year-old men of color—I frequently encounter the challenges that victims confront when they’re not perceived as innocent. For example, victims of crime are often deemed ineligible for compensation if they are believed to have not cooperated with law enforcement, no matter the violence they suffered.

Similar barriers arise with regard to “contributory conduct”—a term used to describe factors that law enforcement or the New York State Office of Victim Services consider to be proof that victims are somewhat, if not fully, responsible for the crime they endured—such as being involved in a gang when they were attacked or otherwise harmed. Although these disqualifiers apply to all crime victims who fit the criteria, young men of color are unquestionably among those most impacted and forced to grapple with the state’s refusal to acknowledge their pain and support them through it. In addition to barriers to compensation, young men of color who have been harmed by violence often face shame and guilt when continuously ignored by systems and/or blamed for the trauma they experienced at the hands of another.

Being doubted and blamed often cultivates self-doubt, low self-esteem, and rage. On a daily basis, my team and I work with young men of color who were shot, stabbed, or robbed, and who struggle to believe that our program is for them. Our most crucial work is proving to these victims that their pain matters and that they didn’t deserve the harm someone caused them.

Because when a young man of color can’t find a face that looks like his on victim services posters, or is interrogated by police instead of offered support, or is automatically treated like a perpetrator of violence at a victim service agency, it’s no surprise that his devaluation of himself and possibly others would only be magnified. Without systemic acknowledgement, empathy, and options for support, young men of color may very well view themselves as deviant and invisible, and—because they can’t connect to their own humanity and worth—grow more likely to hurt themselves and others.

So the next time you learn that someone was harmed, instead of trying to validate their innocence, just acknowledge and tend to their pain. Because all pain matters.

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The long shadow
of the innocence frame
By Rommell Washington

Rommell Washington is a clinical social worker at Crime Victims Treatment Center of Mount Sinai St. Luke’s and Roosevelt Hospitals. He has over 35 years of post-graduate experience working with youth, adolescents, people living with mental illness or addiction, sexual assault survivors, and others.

In 1978, I landed a job as a community organizer for the Florida Clearinghouse on Criminal Justice. I was fresh out of school, with an MSW in tow. My job was part of a larger organization, Southern Coalition on Prisons and Jails, which had similar organizations in five other southern states. While there, I was introduced to what is now known as “IF,” or the innocence frame—the mindset to work with a much marginalized and really despised group within our society: inmates, convicted felons, prisoners, incarcerated people, etc. (We use all sorts of terms and labels. Deal is, society cares little about the population behind bars. “Just keep them locked up and give them as little as possible because my taxes pay for this!”)

With this organization, I worked with several projects—Jobs Not Jails; Pitts & Lee: Release Them Now! Campaign; Moratorium on Prisons & Jails; and the Anti-Death Penalty Action Group. It was in my work with inmates on death row that I was challenged to the core of how I look at the IF. As the average inmate gets no respect, imagine how the work around death row inmates can look—especially in Florida at that time. Think Ted Bundy and Arthur Goode: two individuals who had not performed well as good humans; convicted murderers and primed to be executed. As the state of Florida got back into the killing game, these men soon met their demise after exhausting all appeals.

In working with these men, however, I began to really explore how my IF can be fraught with bias and prejudice—even to the point that I convince myself that I couldn’t possibly think like that. Part of my struggle is that these men were responsible parties to horrible and unimaginable acts of inhumanity; yet they were also harmed parties of the violence perpetrated against them while incarcerated. As a provider of support for people affected by trauma, I know all too well that I must always work on my IF. It can change how I view the human being I’m working with—the one in the frame. It’s firmly connected to our nation’s fundamental tenant of law: People are presumed innocent until proven guilty; people should not be presumed guilty because of their differences or conditions in life, such as being Black, gay, poor, or transgender; having a rap sheet or a lack of formal education; being disabled; living with poor health; or having a mental illness. None of these should preclude a person from justice. Yet even with the best intentions, everyone can still emit a powerful denial of their own bias, prejudice, and ignorance.

It was also during this time in my work that I was introduced to an organization called Stop Prisoner Rape—simple and to the point—now called Just Detention International (JDI). The majority of prisons and jails denied that sexual activity and sexual assault existed in their facilities. Over the decades, JDI was the only organization to talk about, educate, and organize around sexual assault in correctional and detention facilities, and continues doing wonderful work around this issue.

The monumental Prison Rape Elimination Act of 2003 (PREA) eventually pulled the cover of denial from correctional facilities and now mandates a response and action for inmates who are victims of sexual assault, sexual abuse, and sexual harassment. In New York state, there have been recent attempts by DOCCS (Department of Corrections and Community Service) to institute PREA standards.

So, about four years ago, I got a call for help.

A rape crisis program in upstate New York wanted to know if assistance could be given to an inmate alleging that he was sexually abused by another inmate. While they understood the issues surrounding sexual assault, it was not in their mission statement to provide services to perpetrators. And in a rather frank assessment, it was noted by the provider that, for someone who was in prison, “that” was expected.

Whoa! I understood his perspective, but it was still jarring to hear. So people are arrested, tried, convicted, and sentenced for crimes. At no time during sentencing did the judge or prosecutor state that being sexually assaulted, abused, and harassed would also be part of the punishment. As a society, we commonly assign those convicted of crimes to that “other” justice. It permeates in media and average folks collude in this type of thinking and framing.

I made many calls to the prison and spoke to scores of correctional staff. Ultimately, I was able to initiate phone sessions and we started the therapeutic relationship by phone contact. I’ll never forget how, during our first contact, I could hear him struggling to talk with me. It was revealed that, while I was comfortably seated listening and talking on speaker phone, this man had hand and body restraints on and was clearly uncomfortable. After fierce advocacy with a touch of disdain, the restraints were never applied in...
our phone sessions again. From that open door, we have been instrumental in guiding DOCCS toward implementing standards and procedures for responding to inmates that have been sexually assaulted, abused, or harassed. A pilot project is just ending where hotlines were set up in nearly all 52 facilities in New York. A training film was developed to orient new inmates about the Prison Rape Elimination Act (PREA) and how they can prevent or report sexual abuse. Staff will be oriented as well. It's a start…with many stops!

The IF is a major factor in how the people I work with are perceived. Scrap the frame and you’ll find similarities in their pictures. These are people—many of whom are trans women or identify as queer or bisexual men—who, for the most part, have been incarcerated in the New York prison system for more than 20 years. None completed formal education beyond the 10th grade prior to incarceration. All have a history of adverse childhood experiences and adult histories of continued, prolonged trauma associated with rape, sexual exploitation, and physical abuse. Their internalized IF never gets realized (that is, their personal identities) as the external IF (how people view them) always takes precedent. “Forget how I feel about my innocence,” they think of themselves. “I get no respect as a human being.” They have no way of experiencing positive expression or hope.

The IF can take on the easy profile and label, permitting those in observation to ignore the human being within the frame. From there, the gauntlet of dehumanization has total sway and casts a very long shadow.

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The unattainable innocent victim standard
as barrier to justice for survivors of domestic violence

By Liz Roberts

Liz Roberts is the deputy CEO and chief program officer at Safe Horizon, a victim assistance agency that provides support, prevents violence, and promotes justice for victims of crime and abuse, their families, and communities.

In domestic violence training, we sometimes ask participants what makes a “good victim.” I’ve led this exercise dozens of times, with many different audiences—from doctors to high school students. The responses are strikingly consistent. “Good victims” have never committed a crime; they are compliant; they are bruised and battered; they don’t get angry; they don’t use drugs or alcohol; they aren’t mentally ill or homeless. Above all, they never, ever initiate violence. Because women are the predominant victims of domestic violence, the common image of a survivor is of someone who conforms to traditional gender norms; who isn’t loud or aggressive; who always puts her children first; who wears modest clothing and doesn’t sleep around.

I only wish I could say the responses have changed over the last three decades.

Yet stereotypes persist, undermining the rights and safety of domestic violence survivors everywhere. An immigrant victim of appalling abuse may be denied immigration relief for which he would otherwise qualify because of a minor theft conviction. A woman forced into prostitution by an abusive intimate partner may be arrested and charged with a crime, when what she needs and deserves is protection and healing. A survivor seeking crime victims’ compensation to cover medical costs may be denied because the police report didn’t accurately identify the primary aggressor.

There is a painful reality that is rarely acknowledged: domestic violence survivors often become entangled in the criminal justice system as a direct result of the abuse they’ve suffered.

For example, the mainstream image of a victim is of someone who is helpless and cowering during an assault. But in our experience, many survivors do defend themselves—and sometimes they initiate violence. While police departments have established standards for identifying the predominant aggressor, these standards are inconsistently applied. Across the country, survivors’ self-protective violence is often not recognized as self-defense; the result may be that both parties are arrested and charged, or that no action is taken because both parties “participated” in the violence. Advocates report that this is especially common when the people involved are of the same gender, and when they are poor and black or brown.

Survivors may also become involved with the criminal justice system because of drug use. Research has established that traumatic experiences increase the risk of substance abuse. Why? Because the aftermath of trauma—agitation and reactivity, terrifying memories and nightmares, and alienation from self and community—is intolerable. Survivors may turn to drugs or alcohol as a way to cope. Over time, the substance use takes on a life of its own, and survivors may find themselves not just using, but stealing or dealing. In our experience, abusive partners are all too often facilitators of this dynamic, because addiction serves to keep victims trapped.

Finally, abusers often literally force survivors to commit criminal acts. Some of our clients report that the person who battered them also coerced them, under the threat of serious violence, to peddle drugs or commit robberies; to abandon their children or sell their bodies. The shame some survivors experience as a result of these acts becomes a potent barrier to seeking help. In her groundbreaking book, Trauma and Recovery, Judith Herman writes that “…the final step in the psychological control of the victim is not completed until she has been forced to violate her own moral principles. …Psychologically, this is the most destructive of all coercive techniques, for the victim who has succumbed loathes herself.”

It is so important to recognize and respond with compassion when victims commit crimes as a result of abuse. And when victims commit crimes that are unrelated to their victimization, that does not mean they cannot be victims of domestic violence who also deserve protection, compassion, and healing. Through 37 years of doing this work, we at Safe Horizon learned that the “innocent victim” standard is unattainable for many survivors—because we are human and our lives are complicated.

Surely that is enough reason to change the standard.

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