



VIOLENCE FREE
MINNESOTA

COALITION CALLS FOR WIDESPREAD CRIMINAL JUSTICE CHANGE IN FACE OF PANDEMIC

May 28, 2020

Violence Free Minnesota, the statewide coalition of organizations working to end relationship abuse, supports the release of incarcerated individuals from Minnesota's prisons and jails. The COVID-19 pandemic has quickly unveiled grave inadequacies in nearly every governmental system, including the criminal legal system.

Our name – Violence Free Minnesota – is the vision we, as advocates and victim/survivors, work towards every day. In a violence free Minnesota, every person has a right to safety and the ability to live a life free from violence or abuse - including incarcerated individuals. In a violence free state, no person is beyond accountability, transformation, or healing. To achieve a violence free Minnesota, we must center our work on the needs of the most marginalized victim/survivors - including incarcerated victim/survivors - and eradicate widespread oppression and disparity which fuel the issues of power and control that underpin relationship abuse.

Many incarcerated individuals, regardless of gender, are survivors of domestic and sexual violence. The ACLU states that nearly 60% of female prisoners nationwide – and as many as 94% of certain female prison populations – have a history of physical or sexual abuse. Many incarcerated men have likewise experienced violence or abuse, though the numbers are less clear due to chronic underreporting of men's victimization. Cycles of trauma, coercion, and destructive coping mechanisms are not addressed in meaningful or transformative ways within the confines of prison.

For over four decades, the domestic and sexual violence movements have invested in the criminal justice system as the primary response to violence, relying on incarceration and the threat of incarceration to change behavior. This approach provided, at best, a temporary reprieve from violence for some victims, but our decades of experiences and data show that this approach has not ended violence and abuse in our homes and communities. Over the past 30 years, Violence Free Minnesota has tracked intimate partner homicides in our state. While any given year may see an increase or decrease, there is no "downward trend" to Minnesota's intimate partner homicides even as incarceration has continued to climb. Likewise, the Vera Institute of Justice has synthesized the research of multiple studies that show that higher incarceration rates are not associated with lower violent crime rates, and may actually lead to higher crime rates when incarceration is concentrated in certain communities. In Minnesota, incarceration disproportionately impacts people of color and poor Minnesotans. Minnesotans of color – specifically Black, Latinx, and Native Minnesotans – are overrepresented in our prisons and jails (for example, while 6% of Minnesotans are Black, 37% of the state's prison population is Black; Native people comprise 1% of the state population, yet over 9% of those incarcerated are Native).

The dangers of the COVID-19 pandemic are apparent and further exacerbate racial and socio-economic disparities. Nationwide, the COVID-19 infection rate in jails and prisons is about 2½ times higher than in the general population. We are confronted



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with the urgent reality that current incarceration rates are untenable for the health and safety of incarcerated individuals, correctional officers and staff, and communities surrounding correctional facilities. While unprecedented, the pandemic has increased our urgency to address the crisis of mass incarceration in the United States.

In conjunction with release or early release, Minnesota must make a simultaneous investment in policies, practices, and social supports that are shown to make communities safer. Policy makers and systems professionals must immediately invest in domestic abuse transformation programming to change abusive behaviors, address the root causes of those behaviors, and develop pathways to meaningful accountability beyond incarceration. In addition to transformative programming, people who have engaged in violent and abusive behavior must have the ability to meet their basic needs to maximize the effectiveness of this programming. Transforming abusive behavior and cultivating safety in our homes and communities is made all the more challenging when people are released from prison without housing or a pathway to housing; without a job or pathway to income; without healthcare or accessible transportation. Ultimately, we believe that behavior change is possible and, with appropriate support and implementation, the best way to increase safety for victim/survivors.

This investment in programming and reentry support to transform behavior and prevent future violence must be accompanied by a similar commitment to increased, ongoing financial support to community-based advocacy services and victim/survivors. Releasing individuals who have caused harm is frightening for victims/survivors and there are critical practices that need to be implemented to ensure a survivor-centered early release plan. This planning requires that risk is adequately assessed, not only risk to the public but also to particular victims. Decisions for release should be based on risk of re-offense, rather than governing crime. Survivor-centered plans mean that victim/survivors must receive notification of release as far in advance as possible, have the opportunity to inform the release plan of the person who has caused them harm, and to connect with community-based advocacy services in order to receive the resources and supports they need. Victim/survivor supports can include access to safe, affordable housing, mental health services, and trauma-informed workplaces. All these essential safety practices will increase the workload of community-based advocates and necessitate additional financial support.

In our call for early release of incarcerated individuals from Minnesota's correctional facilities, we demand financial and structural support for the following conditions that support victim/survivor safety:

- **Shifting from crime to risk:** recommendations for release should be based on assessment of risk to the public or to a specific individual rather than, and regardless of, the governing crime.



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- **Robust victim notification:** victim/survivors must be notified in advance of the release of the incarcerated individual and they must receive a release date; notification must include multiple forms of contact, beyond a letter via post. Notification must occur regardless of registry in HAVEN, the DOC notification database.
- **Increased communication between supervising agents and victims:** early and ongoing outreach to incorporate victim/survivor input into the release plan. Supervising agents will provide ongoing responsive support to victim/survivor concerns after release. We support the Minnesota Association of Community Corrections Act Counties (MACCAC) request for additional funding to support the increase in supervision that has emerged during COVID-19.
- **Increased advocacy to victims:** victim/survivors must be connected to local advocacy programs to receive support, assistance, and safety planning services.
- **Support for domestic abuse transformation programming and reentry:** now and in the future, housing and supportive programming – including domestic abuse transformation programming – must be provided for releasees to ensure ongoing safety for victim/survivors and communities.
- **Improved conditions for incarcerated individuals:** for incarcerated individuals where release is not feasible, basic consideration must be given to their health/safety needs. All remaining incarcerated individuals must have access to testing, proper medical care, free access to soap and PPE, free access to phone calls and tele-visits to connect with family members and others who would normally visit, and the ability to practice social distancing without lockdown.

We must act swiftly to expand our responses to safety and reduce harm, while preventing future violence. As advocates working to create a violence free Minnesota, we hold firm the belief that change is possible and safety is attainable as we strive towards a just and equitable society.

This statement was created with shared guidance from Domestic and Sexual Violence Coalitions in Massachusetts, Michigan, Washington, Oregon, Idaho, and Vermont among others.