



# Serving Criminalized Survivors



---

Facilitated by Kate D'Adamo, Reframe Health and Justice

Hosted by NASTAD Drug User Health Program  
in collaboration with  
Erin Miles Cloud, Dinah Ortiz, and Naomi Lauren



March 17, 2021

# About NASTAD

- . **WHO:** A non-profit, non-partisan national association founded in 1992 that represents public health officials who administer HIV and hepatitis programs funded by state and federal governments.
- . **WHERE:** All 50 U.S. states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, seven local jurisdictions receiving direct funding from the Centers for Disease Control and Prevention (CDC), and the U.S. Pacific Island jurisdictions.
- . **MISSION:** NASTAD's mission is to end the intersecting epidemics of HIV, viral hepatitis, and related conditions by strengthening domestic and global governmental public health through advocacy, capacity building, and social justice.
- . **VISION:** NASTAD's vision is a world free of HIV and viral hepatitis.

# Facilitator



Kate D'Adamo

She/They

Contact me at:  
[kate@reframehealthandjustice.com](mailto:kate@reframehealthandjustice.com)

# Webinar Objectives

- To understand the ways that people may be experiencing harm, and how criminalized survivors live in the intersection of different forms of violence.
- Identify ways in which criminalization changes approaches to anti-violence work, especially for people who use drugs and sell sex.
- Establish familiarity with concepts of trauma-informed care and approach and alternative forms of accountability.



# Access Needs and Disclaimers

- This 75-minute webinar is in English. Mics are muted. Feel free to turn your camera on or keep it off, come and go as you please as a break is not built-in. Interaction is encouraged in the chat – please introduce yourself and your program.
- This webinar is being recorded and all registrants will receive a copy within a week. We want this information to go viral and request that the source of information be included with the information where possible.
- This webinar will provide information about wellness services for people who are criminalized. This is not medical or legal advice. We will provide resources for you to be able to find out more about this topic as it relates to your program and location.

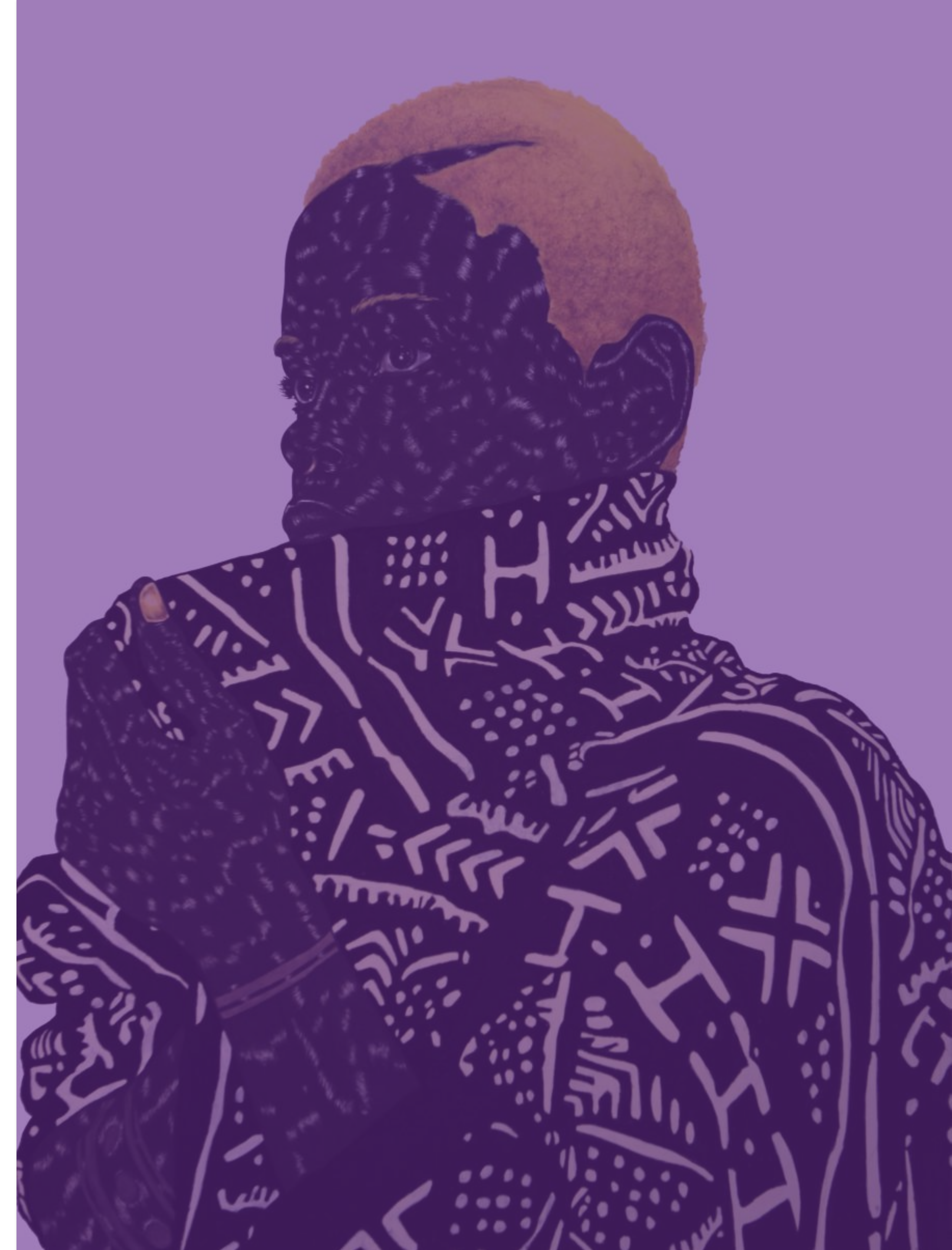
# Webinar Agenda

**01** Grounding

**03** Program examples

**02** Introducing Serving  
Criminalized  
Survivors

**04** Q&A





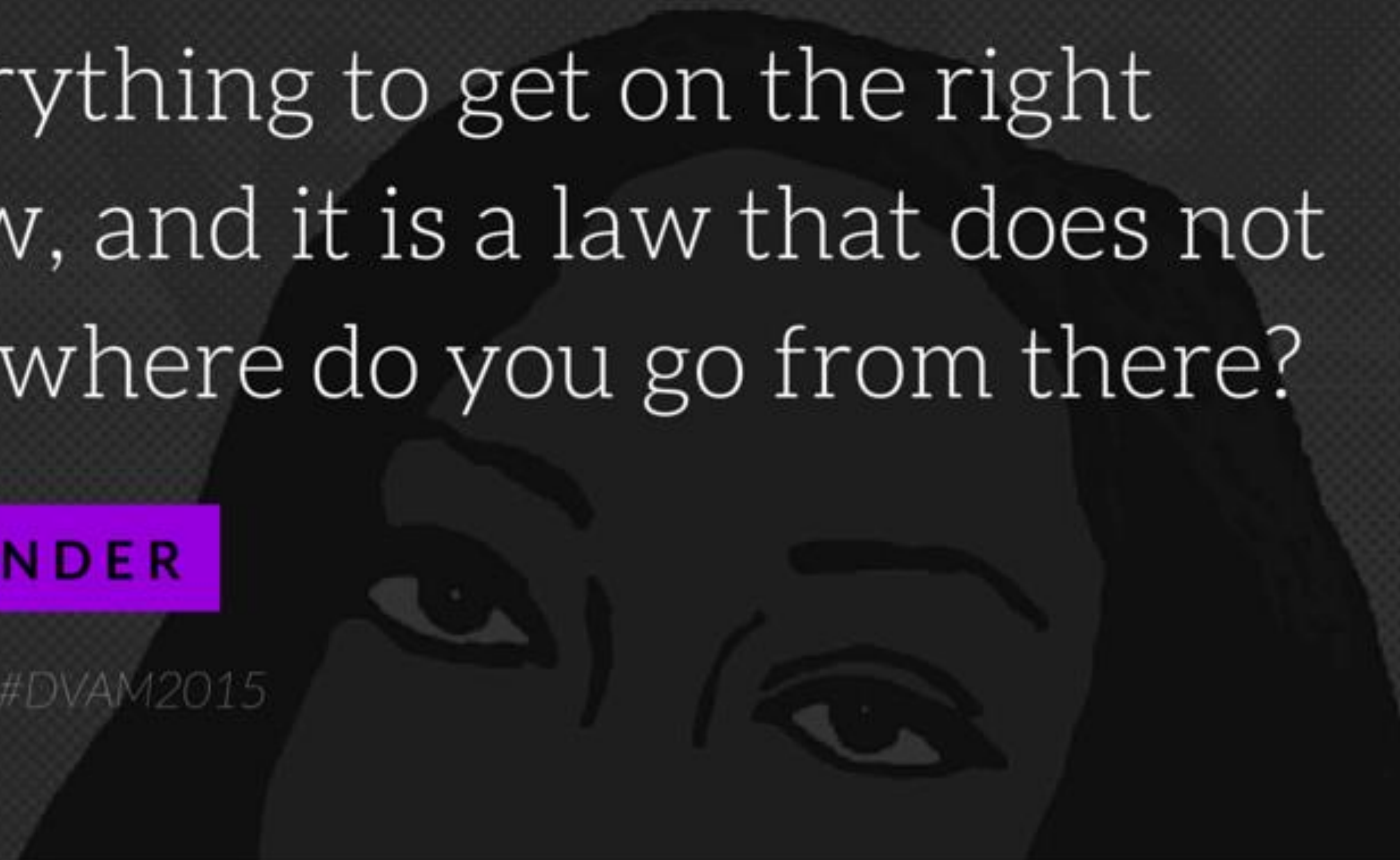
**FREE MARISSA NOW!**



If you do everything to get on the right side of the law, and it is a law that does not apply to you, where do you go from there?

**MARISSA ALEXANDER**

*#SURVIVEDANDPUNISHED :: #DVAM2015*





## Review of Concepts



# Harm Reduction Principles Applied to Violence

1. Views all relationships and situations as complex and multifaceted, and people as capable of decision making – even when we do not understand those decisions.
2. Focuses on who people are rather than what they do, and sees people as whole people, even perpetrators of harm.
3. Recognizes the myriad reasons why people stay in situations where they experience interpersonal violence.
4. Recognizes the potential health impacts of violence and attempts to mitigate them.
5. Seeks to provide holistic support rather than isolated interventions.

# Harm Reduction Principles Applied to Violence

6. Understands how the response to violence by the criminal justice system can further traumatize the victim, perpetrator, families and communities
7. Understands that the dichotomy of victim/perpetrator as whole identities or good victim/bad victim are social constructs.
8. Understands that one individual's experience does not equal that of all individuals who have experienced interpersonal violence.
9. Recognizes that justice and accountability are broad terms which do not inherently involve state intervention.



## Survival and Criminalization



# How Do We Define Harm


## Interpersonal Violence: Violence within communities

- Domestic/Intimate Partner Violence
- Familial Violence
- Violence from Peers
- Isolation/Shunning from Community

## State Violence: Violence against communities

- Criminalization, Policing, Prisons
- Denial of Services
- Civil Penalties
- Loss of custody

Incite! Women of Color Collective's Color of Violence



# How do we experience criminalization

- Survival Crimes – Sex work, drug selling/moving, “welfare fraud”, other informal economies
- When physically responding to interpersonal violence
- Being a substance using parent
- Crossing borders when unauthorized
- In support of partners who are engaged in criminalized activities
- When accessing substances
- *\*\*All more impactful for survivors of color, from policed communities, LGBTQ folks*

# Who Enacts Criminalization

- Police, Law Enforcement
- Child Welfare Agencies
- Juvenile Justice Agencies
- Immigration Enforcement
- Parole and Probation Officers
- Social Service programs which are either predicated on, or intimately tied into law enforcement



# What are examples of a criminalized survivor of violence?

## Scenario 1:

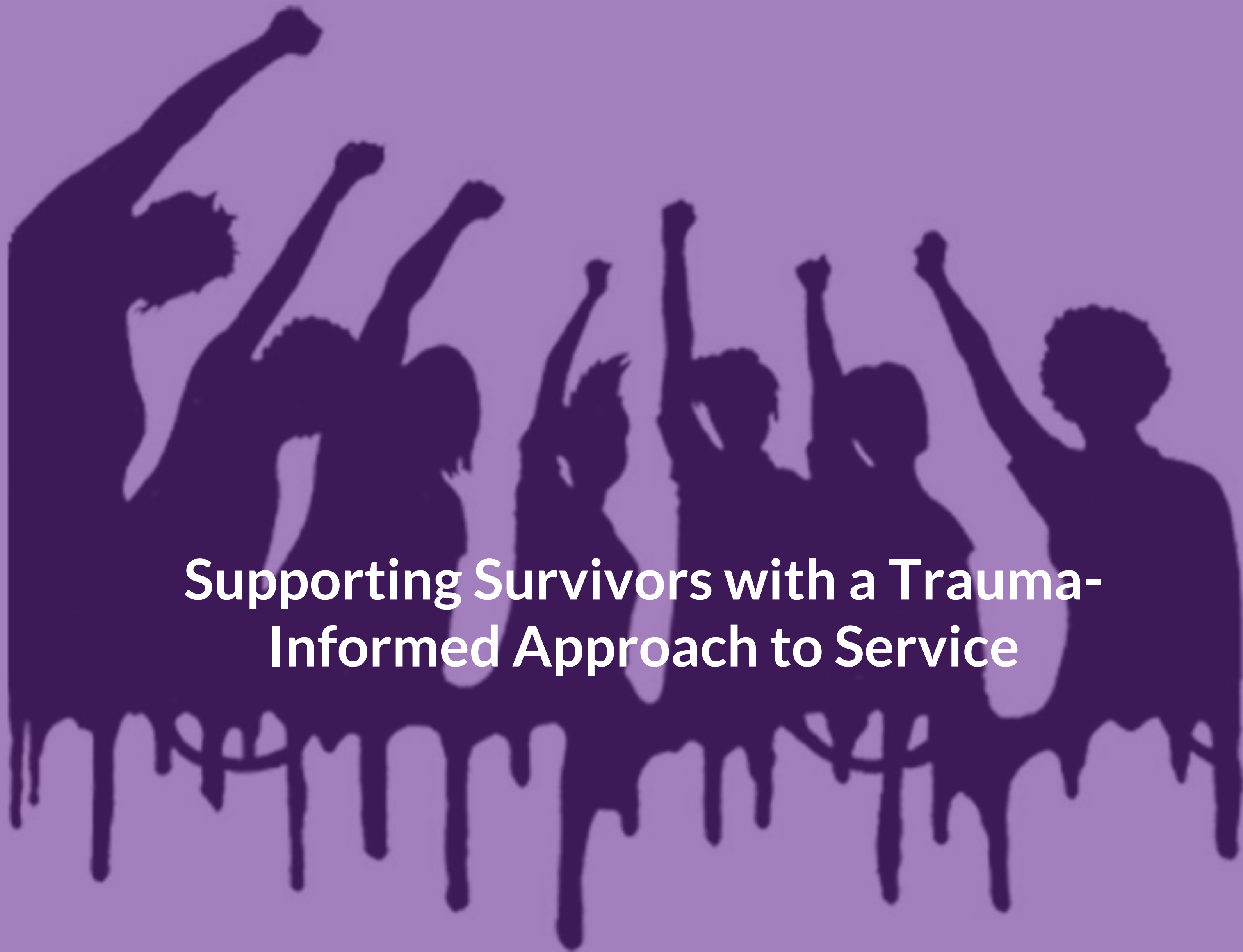
A client who is undocumented is experiencing domestic violence and does not feel comfortable connecting with the local DV shelter but has asked what you think they should do. While this shelter is well-versed on immigration issues, they have a policy that people must stop using substances.

## Scenario 2:

An SSP client engages in sex work as their primary income. While out on a date with someone they are robbed. They come to you to say that they've seen this person at the drop-in and ask for your help. They give a brief description, and it is someone familiar to you.


# How might being a criminalized survivor impact people?

- Creates challenges and barriers in accessing services and support, including law enforcement
- Increased need for coping mechanisms and strategizing to address harm
- Makes disclosure more challenging/triggers Mandatory Reporting
- Changes peoples' assessment of risk and harm
- Requires alternative forms of justice, accountability, and safety planning
- Demands spaces which are safe for those experiencing, or who have experienced violence



## Supporting Survivors with a Trauma-Informed Approach to Service





# Trauma- Informed Care

- A program, organization, or system that is trauma-informed realizes the widespread impact of trauma and understands potential paths for recovery; recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the system; and responds by fully integrating knowledge about trauma into policies, procedures, and practices, and seeks to actively resist re-traumatization. (SAMHSA, 2014)

## Trauma-Informed Care and Approach

- Safety
- Trustworthiness and Transparency
- Peer and Community Support
- Collaboration and Mutuality
- Empowerment, Voice and Choice
- Cultural Humility

# What Can Organizations Do?

- Be a barrier between a person and the systems that put them at risk
- Safety Planning
- Community Accountability Processes
- Get to know your partner organizations
- *Recognize “harm reduction” means many forms of harm*



# Healing-Centered Harm Reduction

1. Acknowledges harm to be an integral part of the human experience and that experiencing harm is one of the many ways our lives, minds, and hearts adapt to the world;
2. Recognizes that harm happens on both an interpersonal and an institutional level, and that holistic approaches seek to reduce the harm perpetuated by both;
3. Understands that people perceive and experience the world differently; what is harmful or traumatic for one may be an act of resilience to another and these perceptions can evolve over time;
4. Puts forth that harm is often a result of the lengths some people must go to survive; a survival which is compromised by institutional harm and violence;
5. Honors the many ways that survival and healing look without condemning or glorifying how people survive and heal;
6. Values holding space and time for connection, learning, unlearning, elevation, and liberation;
7. Centers shared, individual, and intersecting experiences of colonization, anti-Blackness and racism, sexism, homophobia, transphobia, classism, ableism and other oppressions;
8. Supports holistic, tailored approaches to restoration and reparation as well as practical strategies to reduce harm and increase access to resources;
9. Elevates community-based, inter-generational and cultural approaches to resilience that are led by the people most impacted by the issue at hand; and
10. Holds systems of power and privilege accountable and addresses power imbalances through transformative justice models that prioritize restoration over punishment, rather than relying on violent and exploitative state-sponsored systems.

# Resources

- [Survived and Punished](#)
- [National Center on Mental Health / SU / DV](#)
- [CDC's National Harm Reduction Technical Assistance Center](#)
- [NASTAD Drug User Health Technical Assistance](#)

*Reframe  
Health +  
Justice*  
consulting

# Program Examples

Erin Miles Cloud, Movement  
for Family Power

Dinah Ortiz, Activist

Naomi Lauren, Whose Corner  
Is It Anyway







# Questions

- NASTAD's Drug User Health team:  
[druguserhealthTA@nastad.org](mailto:druguserhealthTA@nastad.org)
- Kate D'Adamo, Reframe Health and Justice  
[kate@reframehealthandjustice.com](mailto:kate@reframehealthandjustice.com)
- Erin Miles Cloud, Movement for Family Power
- Dinah Ortiz, Writer and Activist
- Naomi Lauren, Whose Corner Is It Anyway

*Reframe*  
*Health* +  
*Justice*  
consulting

# National Harm Reduction TA Center

The **National Harm Reduction TA Center** seeks to build on proven methods of harm reduction technical assistance delivery—programmatic resources, peer support and mentoring, demonstration and program models—to provide coordinated TA to new and established community-led harm reduction efforts, including syringe services programs (SSPs), across the United States and territories.

NASTAD will work with AIDS United and other partners to field and respond to requests for TA and programmatic support from SSPs and community-based harm reduction organizations.

## ASSISTANCE AVAILABLE THROUGH THE NATIONAL HARM REDUCTION TA CENTER INCLUDES:

- ✔ Consultation on program planning, design, and implementation
- ✔ Capacity building, workforce development and training
- ✔ Education and resource development
- ✔ Monitoring and evaluation, including best practices on data collection and synthesis
- ✔ Consultation on funding and grant writing
- ✔ Policy analysis and guidance



**Harm  
Reduction**  
TA CENTER

## FOR MORE INFORMATION:

- 🖱️ [NASTAD.org/druguserhealth](https://NASTAD.org/druguserhealth)
- ✉️ [DrugUserHealthTA@NASTAD.org](mailto:DrugUserHealthTA@NASTAD.org)

## TO REQUEST TECHNICAL ASSISTANCE:

- 🖱️ [NASTAD.org/HarmReductionTA](https://NASTAD.org/HarmReductionTA)

*Reframe  
Health+  
Justice*  
consulting



**Thank you!**

This project is supported by the Centers for Disease Control and Prevention of the U.S. Department of Health and Human Services (HHS) as part of PS 19-1909: National Harm Reduction Technical Assistance and Syringe Services Program Monitoring and Evaluation Funding Opportunity cooperative agreement, a financial assistance award totaling \$6,775,000 with 100 percent funded by CDC/HHS. The contents are those of the author(s) and do not necessarily represent the official views of, nor an endorsement, by CDC/HHS, or the U.S. Government.