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**DEFENSE**

NATIONAL DEFENSE CENTER  
FOR CRIMINALIZED SURVIVORS

# REENTRY CHECKLIST FOR ADVOCATES WORKING WITH REENTERING SURVIVORS

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# BWJP

**For practitioners working with criminalized survivors, it's helpful to be familiar with common reentry issues that people face when returning home from incarceration. Like most individuals returning to their communities, survivors will need support with securing affordable housing, finding stable employment, applying for benefits, addressing health concerns, and paying off court fines and other debts that may have accumulated during their incarceration. General information and resources on these topics are already widely available. Survivors reentering from jail or prison, however, often face additional and unique challenges.**

To understand these challenges, it's helpful to first have a general understanding of women's experiences with incarceration and reentry, as many women's pathways into the criminal legal system are either directly or indirectly a result of their history of abuse.<sup>1</sup> While research indicates a greater need for reentry programming services than their male counterparts, women are often underserved. Pre-incarceration, the gender disparity is often apparent in lower levels of education and income as compared to men. At the same time, women report a greater need for childcare support, mental health services, and substance use treatment needs.<sup>2</sup> While some reentry resources specifically address women,<sup>3</sup> few discuss trauma-informed reentry,<sup>4</sup> and even fewer focus specifically on survivors of intimate partner violence (IPV).

Although some reentry needs are directly related to a survivor's experience of IPV, such as safety planning with an advocate or obtaining a protection order, most reentry needs of survivors are shared across the population of people returning from incarceration. That said, victims of battering face additional layers of complexity including heightened risks from an abusive partner who continues to sabotage their efforts to meet sentencing conditions and the impact of compounded trauma on their ability to navigate their reentry back into the community.

This reentry checklist is designed to assist advocates in recognizing how common reentry issues may impact survivors of abuse and trauma and how to better support the reentering survivors with whom they are working. When advocates understand the challenges of reentry for survivors, they are better equipped to collaboratively work to create a more holistic reentry plan tailored to survivors' needs.





# Foundational Considerations for Working with Reentering Survivors

## Trauma-informed approach

Many community-based programs have specialized training on working with survivors through a trauma-informed lens. This approach is critical for reentering survivors who are often coping with trauma from abuse prior to incarceration, trauma experienced while incarcerated, and in some cases, continued abuse upon returning to their communities. For those returning after longer prison sentences, reentry can feel especially disorienting as they find themselves in a world that now seems unfamiliar or unrecognizable. Even everyday tasks, like grocery shopping in a store filled with unfamiliar products or learning new technologies, can be overwhelming. For a survivor experiencing the effects of trauma, navigating these everyday events can activate trauma responses.

**Advocacy Check:** Trauma-informed counseling can be an invaluable service for a formerly incarcerated survivor. To minimize re-traumatization and re-victimization, a counselor or therapist can provide a safe space for the survivor to process their experiences of abuse and trauma before and during incarceration as well as their experiences with reentry. If the survivor is interested in counseling, let them know how they can access those services through your advocacy program or make a referral to a trusted provider.

It may be helpful for advocates to talk with survivors about what they might expect when meeting a new therapist. They can help survivors identify what they are looking for in a therapist, questions to ask when meeting a new therapist, and how to decide if a therapist is a good fit for them. Advocates can also prepare survivors for the possibility that some therapists may have a limited understanding of the realities of incarceration. Even so, therapists who are open to learning can still be helpful if that survivor feels comfortable disclosing, setting boundaries, and naming what feels supportive or unhelpful. Advocates can help survivors voice their needs and take an active role in directing their healing process.



## Support

Survivors may have little to no supports when reentering the community. The abuse they experienced prior to incarceration may have already isolated them from friends and family, and involvement in the criminal legal system can take its toll on any existing connections, often leaving survivors without a strong support system.

Even where there is support, survivors may benefit from connecting with other survivors who have experienced reentry and can offer insights, shared experiences, practical suggestions, and resources for navigating the reentry process.

While incarcerated, survivors often miss important milestones or losses of loved ones. Opportunities to acknowledge these major events and accompanying grief may not have been possible while incarcerated and can be particularly poignant to process when returning.

**Advocacy Check:** Advocates can provide invaluable support to survivors in navigating the many aspects of reentry, as well as listening without judgment, being present, and offering emotional support. Developing rituals to honor losses and celebrating milestones with the survivor can be a way to meaningfully recognize these lost moments. Advocates familiar with any peer-to-peer groups or national organizations who organize and serve formerly incarcerated survivors can help facilitate these connections.



## Uncommon Collaborations

### *Defense Attorneys*

A survivor's defense attorney is often the best resource to turn to when there are questions about court-related requirements like those imposed through probation or parole that survivors are required to complete. Defense attorneys can also assist with questions that may have legal implications for the survivor. They may be able to petition the court for changes to conditions of release or give legal advice to survivors who may need to navigate their safety when reentering their community. Even if a defense attorney is no longer able to represent a survivor, they may still be able to answer questions about the legal obligations of the sentence.

**Advocacy Check:** If the advocate already has a relationship with the survivor's defense attorney, they may want to reach out with the survivor to get a clear understanding of the supervision conditions in place. Where no relationship exists, advocates may want to introduce themselves and the services they are providing. Then with the survivor (or their permission), advocates can ask the defense attorney how they might be able to best support the survivor.



### *Other Community Providers*

Many local organizations may already serve individuals returning from incarceration, such as Goodwill, Salvation Army, community food pantries, dedicated reentry programs, and substance use rehabilitation centers. The issues that will arise for a particular survivor during reentry will vary. There could also be few to no resources around a specific need, depending on the community to which they are returning. Knowing what resources are available and how to access them can be challenging and overwhelming, but being able to leverage available resources can positively impact a survivor's ability to find stability and safety.

**Advocacy Check:** Advocates working with reentering survivors should familiarize themselves with the local organizations and agencies that work directly or indirectly with those who are formerly incarcerated. Connecting a survivor with providers who can coordinate comprehensive supported services can enhance reentry success.

## Glancing at the Common Reentry Issues

### **State Identification and Driver's Licenses**

Without valid state identification upon reentry, survivors may face barriers to securing employment, obtaining housing, receiving public benefits, or accessing other necessities where proof of identity is required or requested. An expired or suspended license can present a significant barrier for returning individuals who need to drive to work, appointments, or programs mandated by probation and/or parole. Obtaining a driver's license can help reduce a survivor's dependence on an abusive partner who may use control of transportation to sabotage a survivor's compliance with their conditions of release by refusing to drive them to required appointments on time or at all.

**Advocacy Check:** Advocates can help reentering survivors secure an official state ID and/or driver's license by working with them to find out the process to obtain identification. Advocates can help strategize how to address any underlying issues or barriers to getting an ID or license reinstated. They can also offer transportation to court-mandated appointments or connect them to other community programs that offer transportation assistance.

### **Financial Security**

#### *Employment*

Without an income that can support a living wage, a survivor has little chance to establish economic independence. This economic vulnerability may lead to dependence on an abusive partner's income, limiting their options for safety and autonomy.

Those looking for employment after reentering their communities from jail or prison often find it difficult, and at times, seemingly impossible to make it through the hiring process. With criminal records now so readily available online to potential employers, formerly incarcerated people are frequently discriminated against and rejected for jobs for which they are otherwise qualified.

**Advocacy Check:** Advocates can either assist directly or refer survivors to local or national resources<sup>5</sup> that support people reentering from incarceration in identifying fair-chance employers and undergoing the job search and application process. For an applicant with a past conviction, successfully navigating the job application process includes knowing how to disclose and answer questions concerning their criminal history.

### *Education*

For some returning survivors, pursuing higher education can be a way to enhance their skillset and qualifications and, in turn, expand their employment opportunities, increase the likelihood of future employment, and enhance their financial security and independence. Although most restrictions for financial aid are lifted once someone is no longer incarcerated, a criminal conviction can have an impact on eligibility for loans, grants, and work study. Even if there are no limitations to eligibility for financial aid, some schools or applications ask questions about one's criminal history or conduct background checks, and the reentering individual may be required to answer or explain their criminal history or the circumstances of their conviction.

**Advocacy Check:** Advocates can help survivors navigate opportunities (online or in person) around education and training to build skills that can, in turn, improve chances of steady employment that earns a living wage. If applications require answering questions about their criminal history, advocates can direct survivors to their defense attorneys or to resources that help people navigate disclosing and answering questions about their criminal history when seeking employment.<sup>6</sup>

### *Benefits*

Individuals returning from prison or jail may find that they must complete paperwork to reinstate benefits they had prior to incarceration or newly apply for benefits that they lost while incarcerated. Navigating agencies and new policies as well as collecting the information to fill out paperwork can be an overwhelming task for survivors. On top of the already



challenging process of applying for benefits, many returning survivors may be barred from receiving benefits altogether based on what they were convicted of — including charges that may have resulted from their experiences of battering, such as drug charges or fraud.

**Advocacy Check:** An advocate can help a survivor fill out forms and problem solve as well as make referrals and provide emotional support throughout the process. If benefits are denied or are not available, connecting the survivor to community organizations, like food banks or free clinics, can be essential in helping to fill the gap of meeting basic and critical needs.

### *Court Fines, Fees, and Debt*

Many returning individuals, including survivors of abuse, face overwhelming court costs and fees that they are required to pay. Failure to do so can result in serious consequences. For example, a judge may determine that unpaid court fees are a violation of a court order, which may lead to reincarceration. Court debt can prevent reentering individuals from clearing up their records through expungement or the pardon process and adds another financial burden that can undermine a survivor's financial security and independence.

**Advocacy Check:** Advocates can connect survivors to the local legal aid as well as programs that assist with financial planning, consolidating court fees, or, when there has been nonpayment or accumulated debt, that negotiate a payment plan or an alternative to incarceration. Advocates can also help survivors who have coerced debt and related damage to their credit<sup>7</sup> or have experienced identify theft while incarcerated.<sup>8</sup>

## Housing

Securing housing is often a significant struggle during reentry. Scarce affordable housing, federal and local rules that disqualify people with felonies from rent assistance and public housing, and a reliance on background checks can all significantly reduce already limited housing options. The lack of safe, affordable housing is a critical gap that creates a vulnerability for survivors. Without viable alternatives, the survivor may be compelled—whether through coercion or necessity—to live with an abusive partner or find other living situations that can increase their exposure to violence as well as increase the risk of violating their conditions of parole or probation. It can also position their abusive partner to readily exploit their legal vulnerabilities, using the threat of reporting probation or parole violations to their supervising officer as a means of





control. Even when survivors are not living with their abusive partner, the safety and stability of their housing can be compromised if the abuser knows where they live. In this situation, the survivor's housing can become unsafe and they may face eviction as a result of their abuser's actions, including if their abusive partner calls 911 to get them into trouble, or if the survivor calls 911 for help in response to the abuser continuing to harm them.<sup>9</sup> Many reentering people are required to first live in transitional housing that often have strict rules and regulations similar to those in jail or prison. Here, they might also face abusive and retraumatizing conditions.

**Advocacy Check:** Advocates can connect survivors with local reentry and housing programs through their own program or in the community, where available. If no program exists, providing trauma-informed support and encouragement can make a difference in their experience. Advocates can also seek to work with transitional housing providers and advocate for survivors to prevent or address unnecessary rule violations.

## Family reunification

Many survivors returning from prison are parents—over half of all incarcerated women are mothers<sup>10</sup>—and reuniting with their children is often a high priority. Contact with their families during incarceration is often associated with more effective reunification and reentry for parents.<sup>11</sup> Despite the number of parents returning to communities from jail or prison, there are few resources that address their specific reunification needs, especially those of reentering mothers or survivors.

If the survivor was the primary caretaker of their children prior to incarceration, reunification can be particularly challenging if the abusive partner or abusive partner's family has physical custody of the children. There may have been little contact between the survivor and their children during their incarceration for multiple reasons, including the abusive partner or other guardian's refusal to facilitate it through phone calls, mail, and visits. The costs of travel—from time off work to transportation and even lodging for those incarcerated across long distances—can also make visits cost-prohibitive. In some cases, a survivor's own feelings of shame about their incarceration make it too difficult for them to remain in regular contact with their children. For many who have been in prison for long periods of time, (re)establishing relationships with their children can be complex and often require additional assistance including





counseling for both the survivor and their children who are also learning to adjust to their parent's return. For those whose parental rights were terminated while they were incarcerated, establishing any connection with their children depends on whether adoptive parents or legal guardians allow for and facilitate it.<sup>12</sup>

Even where there is support for a parent reunifying with their children, there may be other barriers to reunification and parenting, like finding affordable and reliable childcare and accessing resources for all other childcare needs.

**Advocacy Check:** Advocates can try to connect the survivor with other providers, such as community-based organizations that have programs focused on reunification. Advocates might also connect a survivor and their family with needed counseling to address underlying past trauma and abuse, as well as feelings that their children may have towards their parent who is coming home after incarceration.

## Health

Proper medical care is one of the most critical human needs that can be especially challenging for people who are incarcerated to access, given that routine and quality care is denied to people in jails and prisons<sup>13</sup> and incarceration reduces life expectancy.<sup>14</sup> Given that, it is critical that advocates have a clear understanding of the individual health needs of the reentering person to ensure a smoother reintegration. The impact of incarceration may exacerbate health problems for all inside, but some health issues are especially a concern for women, such as those related to reproductive health and higher rates of chronic illness for women involved in the criminal legal system as compared to other women in the community (or men in the criminal legal system).<sup>15</sup>

**Advocacy Check:** The more advocates know about the impact of incarceration on an individual's health, the better able they will be to understand their health needs and offer the appropriate support. If someone is finding it challenging to apply for medical benefits, if available, advocates may want to consider connecting survivors to community health services that may have medical advocates or case workers on staff that can assist the survivor. Advocates may also want to prepare survivors to self-advocate in the form of finding a trauma-informed provider or seeking a second opinion, etc. For reentering survivors who have often experienced medical neglect, advocates can help them build the confidence to voice their needs and suggest actions to take if they are not feeling heard.





## Mental Health, Substance Abuse and Co-occurring issues

Identifying and addressing the needs of reentering individuals with mental health, and/or substance use issues is essential to ensuring a successful reentry.<sup>16</sup> As an increasing number of women enter the criminal legal system – and subsequently reenter their communities after serving time in prison or jail – there has been a growing recognition that many of these women are living with substance abuse and/or mental health issues.<sup>17</sup> Additionally, many of these women have trauma and abuse histories; they may have used substances to cope with the effects of the abuse or may have previously been coerced into substance use by an abusive partner. When reentering survivors experience co-occurring issues, the reentry experience can activate or exacerbate these issues.

**Advocacy Check:** Advocates can check in with reentering survivors to see if they are connected to the various local community and health practitioners they may need to connect with. If there are gaps in services, advocates can strategize with survivors about ways to reduce harm or refer them to places where they can get more information on harm reduction, particularly if there is an overdose risk.<sup>18</sup> An advocate can also see if a survivor has a case manager or if they can get one to oversee and address the survivor's questions and concerns in a way that recognizes the layers of services they are receiving and the issues that they are experiencing and addressing through these services.

## Probation

Many survivors convicted of a crime must comply with conditions of probation or complete parole after they are released from prison. These requirements can be especially cumbersome for survivors of abuse and can create additional barriers to successfully completing their probation/parole.<sup>19</sup>

An abusive partner who still lives in the community can continue to be a risk for the survivor's safety. They can also try to sabotage the survivor's successful completion of their probation or parole conditions. In some cases, survivors might risk violations or revocation of their probation or parole when they assess that breaking a condition is necessary for their safety, like fleeing the jurisdiction to get away from the abuser.

**Advocacy Check:** Advocates may want to introduce themselves to the survivor's probation/parole officer and let them know their role and the services they offer survivors. Advocates may also want a better understanding of the role of probation officers, and the supervision conditions the survivor is under. Being familiar with each other may provide a foundation for collaboration. The flexibility allowed by a probation officer can make it possible to tailor support to a survivor's specific needs in a way that results in their successful supervision and also increased safety.



## Clearing Records

For survivors of abuse, having a criminal record can be a safety risk, particularly when an abusive partner uses their justice involvement as a tool for control. Clearing a record, when possible, can be a step toward increased freedom and safety.

A reentering survivor may want to consult with their criminal defense attorney about their eligibility for an expungement or pardon and whether they can assist in that process. In most cases, the ability to clear an arrest or conviction record to reduce the resulting collateral consequences depends on a range of individual factors which include, but are not limited to, the type of charge, whether it resulted in a conviction, and the specific laws in that state for clearing a criminal record.

**Advocacy Check:** If the survivor's defense attorney is unable to assist in clearing their record but they are eligible for relief, advocates can connect the survivor to local legal organizations that might be able to represent or help the survivor fill out application paperwork for expunging records or other filings. Advocates can also reach out to local law schools to see if there are any available clinics that may help with this kind of relief. There are also national resources online<sup>20</sup> that might offer some ideas that the advocate can share with the survivor.

## Closing Thoughts

We hope that going over some of these common checklist areas will offer advocates insights into the challenges survivors face when reentering. One-on-one tailored advocacy will make the most significant difference in a returning survivor's options and access to even the most basic necessities. This kind of support can ensure that survivors reenter their communities with the most success and safety possible.



## Endnotes

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