

VICTIM-OFFENDER INTERSECTIONALITY

("VOI")



This field guidance provides tools for criminal justice stakeholders that assist in identifying the intersection of trafficking victimization and offending conduct, as well as guidance on responding to these cases in a trauma-informed manner. By examining VOI through a trafficking-informed lens, this field guidance seeks to identify strategies for moving toward more just and fair responses to sex trafficking victim-offenders at all stages of the criminal justice process.



<https://sharedhope.org/what-we-do/bring-justice/just-response-council/voi/>

TOOLS FOR CRIMINAL JUSTICE STAKEHOLDERS

CRIMINAL JUSTICE STAKEHOLDER TOOL



The tool serves as a practical resource for anyone interacting with a sex trafficking victim-offender who intersects with, or is proceeding through, the criminal justice system. It is designed to help criminal justice stakeholders identify the multitude of factors that commonly arise in ST-VOI cases and provide guidance on how these factors can be appropriately taken into consideration as these cases proceed through the criminal justice system.



<https://sharedhope.org/wp-content/uploads/2020/10/StakeholderTool-voi.pdf>

ONLINE TRAINING COURSE



Our online training course covers the legal implications of VOI using case studies and expert field guidance to provide concrete recommendations for criminal justice stakeholders to make legal processes more victim-centered and trauma-informed. *This course is provided at no cost to you thanks to the generosity of Shared Hope donors.*



<https://store.sharedhope.org/product/voi/>

CASE STUDIES



The case studies provide a picture of:

- How ST-VOI cases have been approached within the criminal justice system.
- Some of the potentially negative consequences that victim-offenders experience as a result of their criminalization.
- The general lack of consideration of their underlying victimization.



They further demonstrate how to apply the Criminal Justice Stakeholder Tool to individual cases to improve responses to trafficking survivors charged with crimes related to their trafficking victimization.

<https://sharedhope.org/wp-content/uploads/2020/10/CaseStudies-voi.pdf>



<https://sharedhope.org/what-we-do/bring-justice/>

Contact us at Policy@sharedhope.org

STAGES OF THE CRIMINAL JUSTICE PROCESS

OPPORTUNITIES FOR JUST RESPONSE to Victim-Offender Intersectionality



Investigation



Avoid interviewing potential victim-offender with trafficker or other victims



Identify VOI early in process to ensure access to victim-witness protections



Arrest



Laws prohibiting prosecution of trafficking victims for trafficking conduct



Avoid coercive charging and/or arrest; build rapport to encourage victim cooperation



Charges filed (Either adult or juvenile proceeding)



Pre-trial diversion



Referral to human trafficking court or specialized docket



Avoid prosecuting victim-offender as co-conspirator alongside their trafficker



Trial



Do not prosecute child sex trafficking victims as adults



Laws allowing affirmative defense for trafficking offenses



Allow expert witness testimony on impact of trafficking victimization



Conviction



Alternatives to conviction (judicial diversion, deferred sentence)



Avoid convictions on trafficking and other charges with serious consequences



Sentencing



Mitigation in sentencing



Alternatives to incarceration (probation, community service)



Post-Conviction Relief



Sealing



Expungement



Vacatur

TRAUMA-INFORMED RESPONSE AND ACCESS TO SERVICES