



Universal Periodic Review (UPR) – United States 2025

This fact-sheet highlights human rights violations across the lifespan of women and girls—particularly survivors of gender-based violence (GBV)—who are criminalized instead of protected.

Cradle to the Grave

The Lifelong Criminalization of Survivors

Who Are Criminalized Survivors?

Criminalized survivors are women whose experiences of domestic violence, sexual violence, or trafficking lead to their involvement in the criminal legal system. Their status as a victim is often ignored, denied, or used against them in court.

Key Patterns of Criminalization

- **Women's incarceration has increased over 585%** in recent decades, with Black and Latina women disproportionately imprisoned.
- **Up to 75% of incarcerated women report histories of intimate partner violence (IPV) or sexual abuse.**
- **Survivors are often criminalized for acts of self-defense**, coerced participation in crimes, or failure to protect children from abuse.
- **Survivors face limited access to self-defense claims**, particularly when the threat of harm is not "imminent" in a narrow legal sense.
- **Many enter prison pregnant**, give birth while shackled, and are separated from their newborns within days.
- Girls and teens are criminalized through status offenses, school discipline, and unsafe foster placements instead of receiving trauma-informed support.

- Adolescent girls who are survivors of trafficking or abuse are often charged with prostitution or status offenses instead of being protected.
- Mandatory minimum sentencing laws and plea bargaining pressures often prevent survivors from introducing abuse histories in court.
- Upon release, survivors face barriers to housing, employment, childcare, and healthcare, with no meaningful state support for reentry.

Systemic Legal

Failures

- Self-defense laws are narrow, with most U.S. states failing to consider abuse history or trauma in GBV cases.
- Stand Your Ground and felony murder laws are discriminatorily applied against women and girls of color.
- Sentencing guidelines exclude GBV as a mitigating factor and impose mandatory minimums.
- Survivors are frequently denied due process, legal representation, or meaningful sentencing hearings.



The U.S. is in violation of multiple human rights obligations:

- **The International Covenant on Civil and Political Rights (ICCPR):** Failure to protect survivors' rights to life, liberty, security, and freedom from inhuman treatment.
- **The Convention Against Torture (CAT):** Permitting state actors to subject survivors to degrading treatment in detention.
- **The International Convention on the Elimination of All Forms of Racial Discrimination (CERD):** Failure to prevent the disproportionate criminalization of Black and Indigenous women.
- **Bangkok Rules:** Ignoring women's histories of victimization in sentencing, confinement, and rehabilitation, contrary to Rule 57.
- U.S. obligations under the **Universal Declaration of Human Rights (UDHR)** and UPR recommendations remain unfulfilled

Conditions in U.S. Prisons

Survivors experience

- Solitary confinement, strip searches, and denial of basic hygiene, medical care, and mental health services.
- Lack of reentry planning, vocational training, or parenting support for formerly incarcerated women.
- No gender-responsive pre-release centers in many states; survivors released without stable housing or services.

Survivor's Experiences

- **K.S.** was coerced into carrying drugs by her abusive partner, was sentenced to 24 years in prison while pregnant. She gave birth shackled to a bed, then was separated from her newborn son.
 - **M.A.**, a survivor of domestic abuse, was sentenced to 20 years in prison after firing a warning shot to deter her attacker, despite Florida's "Stand Your Ground" law.
 - **M.L.**, a mother of 12 and a survivor of lifelong abuse, was sentenced to death in Texas after a coerced confession. The court excluded expert testimony on trauma.

Recommendations

The U.S. Must

- Amend self-defense laws to reflect the realities of IPV, trauma, and coercive control.
- Enact a federal vacatur law allowing survivors to clear convictions related to abuse or coercion.
- Ensure survivors have access to trauma-informed legal representation at every stage of criminal proceedings.
 - Prohibit the use of solitary confinement and implement gender-responsive, rehabilitative conditions in women's facilities.
- Expand access to community-based alternatives to incarceration for pregnant people and caregivers.
- Establish national standards for reentry programs that include housing, mental health services, childcare, and employment support.
- Comply with UPR recommendations and human rights treaty obligations, including ICCPR, CAT, and CERD.
- Develop independent oversight mechanisms to monitor prison conditions and survivor-specific needs.
- Invest in public education campaigns to dismantle stereotypes that criminalize survivor behavior.

**For more details and references, see full report:
From the Cradle to the Grave: The Lifelong
Criminalization of Survivors.**

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