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**DEFENSE**

NATIONAL DEFENSE CENTER  
FOR CRIMINALIZED SURVIVORS

# **MYTHS AND MISCONCEPTIONS:** CRIMINALIZED SURVIVORS

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# BWJP



# Common Myths and Misconceptions that Impact Criminalized Survivors

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**Myths and misconceptions about domestic violence and victims of intimate partner violence are widespread and often negatively impact victims and survivors.**

**While these false narratives can lead to barriers for all survivors, criminalized survivors are at particular risk of being harmed by mistaken beliefs about domestic violence. For example, misinformation can undermine a survivor’s legal defense, limit options to seek safety, or be used by the victim-defendant’s partner as a tool to further abuse.**

Misconceptions also influence how survivors are viewed, assessed, and treated by system and community providers. For instance, victims may be denied shelter or services based on false notions of who “counts” as a real victim. Criminalized survivors face heightened safety risks, limited opportunities, and barriers to accessing healing services when their experiences of abuse are disbelieved or disregarded. This memo is not intended to be inclusive of all the myths and misconceptions about domestic violence survivors. Instead, it will highlight some of the most pervasive myths and misconceptions that people have about domestic violence, and how those misunderstandings impact criminalized survivors in particular. Understanding some of these misconceptions may lead to better informed responses when interacting with defendants who are victims of gender-based violence.

## **False narrative: “Someone who chooses to stay in a relationship with a partner they say is abusive must either like it or is lying about the abuse.”**

### **Assumptions that follow the false narrative:**

- “Someone who is actually in danger would just leave.”
- “Someone who chooses to stay with an abuser is responsible for what happens.”
- “People can always go to a shelter if the abuse is that bad.”

### **Impacts that these assumptions can have on how victim-defendants are viewed, assessed, or treated:**

The general public, and even those trained as system and community providers, may feel that victims who stay in harm’s way forfeit their rights to services or to legal protections such as self-defense claims. They may inaccurately assess the severity of an abusive incident, and they may even find truthful victim-defendants not believable because they think “real” victims can and always do leave their abusers.

### **Realities of intimate partner violence:**

- Leaving an abusive relationship dramatically increases the danger a victim faces: when an abuser feels like they are losing control over their victim they often become more dangerous and abusive to try and regain power.
- Discontinuing an abusive relationship is a process, and not a static moment in time.
- Most survivors make repeated attempts to exit abusive relationships.

## **False narrative: “Someone who is abused by a partner would call the police or go to the hospital.”**

### **Assumptions that follow the false narrative:**

- “Someone in real danger would go to the authorities; if they don’t, they must be lying.”
- “Someone who is really abused would have a paper trail, like hospital records, 911 calls, orders of protection, or some kind of documentation that they are being abused.”
- “The police help victims and arrest abusers.”

### **Impacts that these assumptions can have on how victim-defendants are viewed, assessed, or treated:**

The general public, and even those trained as system and community providers, may find it impossible to imagine or understand why someone wouldn’t call the police or get medical help and may in turn discount assertions that there is a history of abuse.

### **Realities of intimate partner violence:**

- Reporting abuse can place survivors in greater danger, particularly when their partner threatens further harm if they disclose the abuse to others.
- Police intervention is not always a safe option for victims or their families; someone’s race, ethnicity, or gender identity might make them a target for police brutality.
- Police might end up arresting both the victim and their abuser, or just the victim.

- Police might threaten to stop assisting a victim if they call the police for help too often.
- Many survivors avoid traditional systems (legal, healthcare, etc.) for fear of unwanted intervention (child protective services, immigration, law enforcement, etc.).

## **False narrative: “Someone who is abused by a partner would always confide in family or friends.”**

### **Assumptions that follow the false narrative:**

- “Even if someone wouldn’t call the police, they would get help from their family or friends.”
- “If someone is really abused, their loved ones would know, or at least suspect it.”

### **Impacts that these assumptions can have on how victim-defendants are viewed, assessed, or treated:**

The general public, and even those trained as system and community providers, may think a survivor is lying about abuse if they haven’t told anyone in their life about it, especially if they have not amassed any evidence or “paper trail.”

### **Realities of intimate partner violence:**

- Abusers often physically and emotionally isolate survivors from family and friends, leaving no one to reach out to: they might make their victims move far away from anyone in their support systems, dictate who their victim can talk to and when, and privately or publicly spread falsehoods about their victim to further distance them from loved ones.
- Survivors may fear their abusers’ retaliation on themselves, their children, or their confidantes.
- Survivors may be too ashamed to discuss their abuse, or they may fear that their loved ones will not believe them.
- Abuse, even severe abuse, does not always result in visible injury: some forms of abuse are not physical, while bruises and other injuries can be difficult to see on victims with darker skin tones.

## **False narrative: “Someone who changes their story or says they don’t remember what happened is lying.”**

### **Assumptions that follow the false narrative:**

- “If someone’s story keeps changing, they are making it up as they go.”
- “Someone who says they don’t remember something bad that just happened to them is hiding information or is lying.”
- “No one would make an incriminating statement unless it was true.”

### **Impacts that these assumptions can have on how victim-defendants are viewed, assessed, or treated:**

The general public, and even those trained as system and community providers, may think that someone who reports different versions of a story is lying about the abuse and doesn’t deserve services, they may think someone who says they don’t remember an incident that just happened is hiding information or being difficult on purpose, and they may think someone who changes their story isn’t taking responsibility for what they did.



**Realities of intimate partner violence:**

Trauma can impact a survivor's ability to tell a story in a linear fashion. Trauma can also affect survivor's ability to access memories immediately after the triggering event.

Survivors may take responsibility for the actions of their abusive partners for fear of harmful repercussions, or if they don't want their abuser to get into trouble.

**False narrative: "Victims who use substances are completely responsible for the danger they face."****Assumptions that follow the false narrative:**

- "Someone who voluntarily uses drugs or alcohol deserves whatever happens to them."
- "People who use harmful and illegal substances are blameworthy and therefore not to be trusted or believed."
- "No one can be forced to use drugs, it's a choice."

**Impacts that these assumptions can have on how victim-defendants are viewed, assessed, or treated:**

The general public, and even those trained as system and community providers, may think that survivors who talk about being coerced to use substances are not taking responsibility for their "choice" to engage in substance use. Providers may assess that survivors are blaming others for their substance use, and thus not complying with treatment, as many treatment programs require participants to take sole responsibility for their substance use. Additionally, courts may order substance use treatment when intimate partner violence services are more appropriate.

**Realities of intimate partner violence:**

- Many survivors self-medicate to cope with abuse, trauma, and their effects. They may need services that address healing the trauma that they experience.
- Some abusers exert power over their partners by coercing them into using substances.
- A survivor's substance use, recreational or otherwise, does not cause the abuse that happens to them.

**False narrative: "Someone who is angry or mean isn't a victim because real victims are timid and scared."****Assumptions that follow the false narrative:**

"Real victims are in fear for their safety, they aren't angry."

"Being loud and hostile is a sign that someone is a violent abuser."

**Impacts that these assumptions can have on how victim-defendants are viewed, assessed, or treated:**

The general public, and even those trained as system and community providers, may disregard a defendant's assertion that they are fearful of their partner if they do not display a certain timidity that the provider expects of them. This may lead the provider to mischaracterize a victim as an abuser and deny the defendant critical services and supports.

**Realities of intimate partner violence:**

- Survivors experience a wide range of emotions. Anger is a common and normal response to being in an abusive situation.
- Many survivors express fear through anger and hostility.

**False narrative: “Domestic violence victims never have any resources of their own and are totally dependent on their abusers.”****Assumptions that follow the false narrative:**

- “Someone who has a job – especially a good job – cannot be stuck in an abusive relationship.”
- “Victims don’t have access to money or resources.”
- “Domestic violence is only a problem among low-income and poorly educated populations.”

**Impacts that these assumptions can have on how victim-defendants are viewed, assessed, or treated:**

The general public, and even those trained as system and community providers, may dismiss the notion that a defendant with means and independence could be a survivor. They may believe that those who have some aspects of control in their lives also have the ability to stop domestic violence from happening to them.

**Realities of intimate partner violence:**

Many survivors have formal educations and hold jobs, but in order to limit options and independence, abusive partners may make demands on how the survivors navigate their jobs and manage their incomes. Many survivors maintain relationships with family and friends, though partners who control may isolate their victims and dictate the parameters of those outside relationships.

**False narrative: “Someone who has a record is not a victim, since victims don’t have criminal histories.”****Assumptions that follow the false narrative:**

- “People with criminal records are criminals, and criminals are not victims.”
- “I can understand having a small infraction, like a traffic violation, but someone who has a longer list of convictions, particularly like shoplifting, and writing bad checks, is someone who is just living a dishonest life and is lying about abuse to try to game the system.”
- “Lots of people have records, but anyone who has a history of violent convictions like assault and robbery are not victims.”

**Impacts that these assumptions can have on how victim-defendants are viewed, assessed, or treated:**

The general public, and even those trained as system and community providers, may think that someone who has a criminal background chooses to live a “criminal life” and doesn’t deserve services. They may think that someone who has prior convictions has little to no credibility and shouldn’t be trusted.

**Realities of intimate partner violence:**

- For many survivors, the pathways into the criminal legal system are related, either directly or indirectly, to their experiences of abuse.
- Many, if not most, people with criminal records have experienced trauma at some point in their lives.

**False narrative: “Only abusers use physical force, so someone who uses violence must not be a victim.”****Assumptions that follow the false narrative:**

- “Women can be just as violent as men, and those women are abusive.”
- “Someone who gives as good as they get is not a victim; they both enjoy the drama.”
- “Abused women are passive and do not fight back. Obviously, if they fight back, they are not afraid of their partners, and they are not victims.”

**Impacts that these assumptions can have on how victim-defendants are viewed, assessed, or treated:**

The general public, and even those trained as system and community providers, may fail to recognize the severity of domestic violence or may not be able to accurately assess proportionality of harm, and how victims use force to survive. They may not understand that survivors sometimes use force to defend themselves or to prevent attacks from their intimate partners.

**Realities of intimate partner violence:**

- Oftentimes, victims are not passive and are actually very active in trying to stop or reduce the abuse they experience.
- Survivors often have a heightened awareness of the danger they are in and will use force proportional to the perceived threat.
- Even in moments that appear calm, the threat of violence to the survivor can be constant or increasing.

**False narrative: “Emotional abuse isn’t real abuse.”****Assumptions that follow the false narrative:**

“How can someone be in danger if they’re not experiencing physical violence?”

“Being emotionally abusive is just being mean, right? While being mean isn’t a good thing, it doesn’t seem that scary or dangerous.”

**Impacts that these assumptions can have on how victim-defendants are viewed, assessed, or treated:**

The general public, and even those trained as system and community providers, may dismiss a victim-defendant’s assertion that the abuse they are experiencing is dangerous if it is mostly verbal and emotional. They may think that survivors are only in danger when physical violence is present. This misconception can lead to inaccurate assessments of danger and denial of services that are reserved for those who are “really in danger.”

**Realities of intimate partner violence:**

- The emotional and non-physical tactics of abuse, often punctuated by physical abuse, are very effective ways to control and terrorize victims.
- Coercive control can be used to explain how an abusive partner can instill fear and create a constant environment of danger, even when there may appear to be none.



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