

# Victim Rights Law Center ANNUAL REPORT -2021-

The Victim Rights Law Center's mission is to provide legal representation to victims of rape and sexual assault to help rebuild their lives; and to promote a national movement committed to seeking justice for every rape and sexual assault victim.

## MESSAGE FROM THE EXECUTIVE DIRECTOR

Dear Friends,

All of us at the Victim Rights Law Center hope you, your families, and your colleagues are happy and doing well! The world continues to be a rollercoaster, but our mission to help rape and sexual assault survivors holds steadfast. From pandemic isolation to determining how to reintegrate safely, our attorneys and paralegals continue to serve survivors virtually and in-person to be responsive to survivors' legal needs.

I often say the VRLC's "secret sauce" is our synergy of providing holistic legal representation to individual survivors in addition to training and mentoring other professionals to improve the national response to sexual violence. The VRLC is focused on making a powerful impact both locally and nationally. This annual report showcases our unwavering and compassionate efforts to help survivors during an especially challenging time when they have needed us the most.

### Direct Services in Massachusetts and Oregon

The VRLC's anchor has always been that we are the first nonprofit law center in the country solely focused on the legal needs of sexual assault survivors. Through our representation of individual rape and sexual assault survivors, we help them stay in (or leave) their jobs, homes, schools, and sometimes even the country. Our attorneys are experts in sexual violence as well as multiple areas of civil law. Together, they creatively weave a safety net to help survivors rebuild their lives following violence.

### National Training and Mentorship

The VRLC leverages what we learn from representing individual survivors to develop innovative content to train and mentor other lawyers, advocates, medical professionals, campus administrators, and other professionals to help survivors in their own communities. It is critical that we share our skills and strategies and collaborate with a multi-disciplinary approach to improve the response to sexual violence nationwide.

### Join Us

Fundraising through the bumpy road of the pandemic with funding cuts to legal services for victims of crime is nerve-racking and fosters instability. As always, we have confidence that our community will lift us up as we stand by survivors. Thank you for attending our virtual events and for continuing to invest in the work of the VRLC! Please follow the VRLC on social media (@VictimRightsLaw), sign up for our newsletter, host an event, and donate. Let's ensure the VRLC stays strong for survivors as we continue to weather this storm together.

In gratitude,



**Stacy Malone, Esq.**  
Executive Director



## Board of Directors

Rebecca Chasen, Co-Chair  
Krista Green Pratt, Co-Chair  
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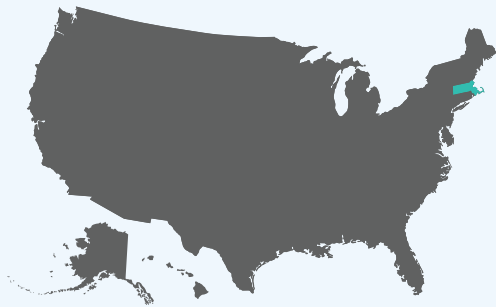
## LEGAL HELP FOR RAPE AND SEXUAL ASSAULT SURVIVORS

Sexual assault survivors often come to the VRLC needing help with multiple complex legal issues. VRLC attorneys provide a wide range of expertise across several areas of law, which promotes trauma-informed legal assistance for survivors all in one place- the VRLC.

**Massachusetts:** the VRLC's staff attorneys in Massachusetts focused on improving accessibility of services for survivors as the pandemic continued. Attorneys remained responsive to survivors' needs, primarily meeting clients virtually, but also offering in-person meetings to those for whom remote meetings were not accessible. This sustained shift to largely remote meetings informed an update to our library of client forms. These forms were translated into plain language, edited to include pictorial representation of the concepts contained in the documents, and made screen-reader accessible. As a result, the documents are more accessible for everyone, but particularly for survivors with intellectual

and developmental disabilities, minor survivors, survivors experiencing the neurobiological impact of trauma, survivors with visual impairments, and survivors accessing services remotely.

**Oregon:** the VRLC's staff attorneys in Oregon continued to promote and provide much-needed legal services throughout the pandemic, leading to a 12% increase in the total numbers of survivors served. Priority legal needs for survivors continued to be immigration matters; support and advocacy after reporting to law enforcement and throughout the criminal justice system; civil protection orders to promote safety; and help securing benefits and other forms of economic support. The Oregon direct services team continues to increase access to legal services for many of the region's most marginalized and vulnerable survivors.



### Massachusetts

**962**

individuals called the MA intake line

**578**

rape, sexual assault and stalking survivors were assisted with **1,074** separate legal matters

**39%**

of clients identified as Black, Indigenous, and other People of Color

**9%**

identified as immigrants

**5%**

had limited English proficiency

**4%**

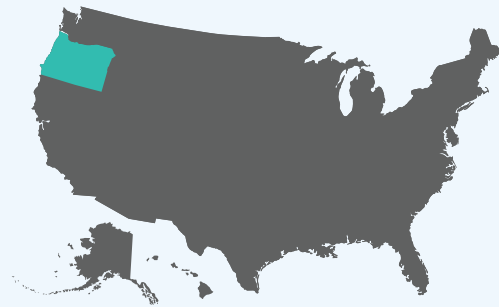
were experiencing homelessness

**23%**

disclosed a disability

**12%**

identified as LGBTQ



### Oregon

**455**

individuals called the OR intake line

**444**

rape, sexual assault and stalking survivors were assisted with **720** separate legal matters

**79%**

of clients identified as Black, Indigenous, and other People of Color

**59%**

identified as immigrants

**41%**

had limited English proficiency

**9%**

were experiencing homelessness

**19%**

disclosed a disability

**15%**

identified as LGBTQ

# PRIVACY TRAINING AND RESOURCES

The VRLC’s national Privacy Rights Project provided technical assistance (mentorship and consultations) and training for attorneys (and their project partners) funded by the Office of Violence Against Women (OVW) to provide confidential legal assistance to survivors of sexual assault, dating and domestic violence, and stalking. National training this year included a webinar co-facilitated by the National Immigration Women’s Advocacy Project exploring best practices and emerging issues when representing immigrant survivors of sexual violence, “Video Court and Trauma-Informed Legal Practice,” at the OVW new grantee orientations for grantees addressing and preventing crime in rural areas and Legal Assistance to Victims programs, and “Protecting Survivor Privacy in the Commonwealth of the Northern Mariana Islands.” We completed various resources for the anti-sexual violence field, including a plain-language release of information form for survivors, a model data breach policy, and translations of three of our Minors’ Privacy Toolkit components into Simplified and Traditional Chinese, Russian, Korean, Haitian Creole, Tagalog, French, and Brazilian Portuguese. The Sexual Assault Report, a national publication of the Civic Research Institute, reprinted our Confidentiality and Contact Tracing FAQs in their March/April 2021 issue. Our team also began work with the Sexual Violence Justice Institute on protecting survivor confidentiality with Sexual Assault Response Teams.

**Minors' Privacy Toolkit**

**Working with Minors: A Privacy and Confidentiality Worksheet**

This worksheet is a tool to help you and your OVW-funded victim services organization determine your readiness to provide confidential services for survivors of sexual assault, dating and domestic violence, and stalking, who are minors. It is designed as a companion tool to "Working with Minors: What to Know About Protecting Their Privacy Rights." Working with your jurisdiction-specific Minors' Privacy Rights Card, we anticipate it will take about an hour to complete this worksheet. If you need additional help, please contact us: PrivacyTA@victimrights.org.

**Who Has Legal Authority to Make Decisions?**

This section will help you determine whether your organization's privacy policies distinguish between serving minors who may, and minors who may not, consent to your services without parent or guardian involvement.

In our state, minors may consent for the following services at the given age (e.g., sexual assault services, victim advocacy, health care, mental health services, etc.):

Service	Age	Special Considerations (e.g., provider must notify parent after a set number of sessions)

There is/is not a statute or case law in my jurisdiction that addresses emancipation (circle one).

A minor in our state may be emancipated at age \_\_\_\_\_.

Minors' Privacy Toolkit in English

**未成年人隐私工具包**

**与未成年人一起工作：隐私和保密工作表**

此工作表是一个工具，可以帮助您和您的 OVW 资助的受害者服务组织确定您是否准备好为遭受性侵犯、约会和家庭暴力以及跟踪骚扰的未成年幸存者提供保密服务。它被设计为“与未成年人一起工作：保护他们隐私权利须知”的辅助工具。配合您的司法管辖区确定的未成年人隐私权利卡，我们预计完成填写此工作表大约需要一个小时。如果您需要更多的帮助，请联系我们：PrivacyTA@victimrights.org。

**谁有法定决策权？**

本节将帮助您确定贵组织的隐私政策是否对以下两种情况下的未成年人提供服务加以区分：同意或不同意在没有父母或监护人参与的情况下接受您的服务。

在我们的州，未成年人在特定年龄可以同意接受以下服务（例如：性侵犯服务、受害人权益保护代理、健康护理、精神健康服务等）：

服务	年龄	特别考虑因素（例如：服务提供者必须在提供规定的通话次数后通知家长）

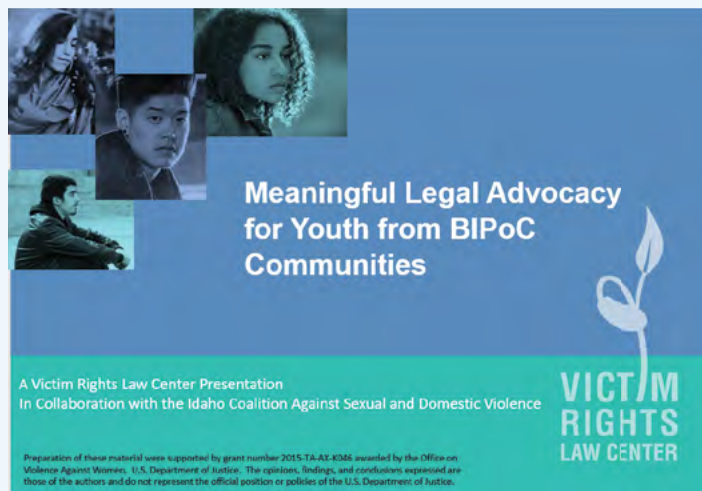
在我的管辖权内有 / 没有关于解除监护法院或判例法（圈选其一）。

我们州的未成年人到了 \_\_\_\_\_ 岁便可解除监护。

Minors' Privacy Toolkit in Chinese

## SEXUAL ASSAULT JUSTICE EDUCATION

The Sexual Assault Justice Education Project's training and technical assistance team provided 526 consultations, responses to individual information requests, and referrals to Office on Violence Against Women (OVW) grantees and others working on behalf of sexual assault survivors. We also delivered 32 virtual trainings attended by nearly 3,000 victim service providers. The year's offerings included, among others, a series of webinars exploring the assault-related legal needs of LGBTQIA+ and BIPOC youth and of youth with physical, intellectual, and developmental disabilities; population-specific webinars examining culturally-responsive legal services for American Indian and Alaska Native survivors (co-presented with Hallie Bongar-White of the Southwest Center for Law and Policy) and of immigrant survivors (with Leslye Orloff, Director of the National Immigrant Women's Advocacy Project); a virtual panel on the use of restorative justice with survivors of sexual violence, and a multipart virtual training programs with lawyers new to serving sexual assault survivors and with supervising attorneys at OVW-funded legal services programs. The Sexual Assault Justice Education project was re-funded by the Office on Violence Against Women, and, as a result, will be updating VRLC's groundbreaking Beyond the Criminal Justice System, a comprehensive manual on the provision of civil legal services to rape and sexual assault survivors.



Meaningful Legal Advocacy for Youth from BIPOC Communities" webinar presented by the VRLC in collaboration with the Idaho Coalition Against Sexual and Domestic Violence

## K-12 AND HIGHER EDUCATION

For many K-12 students, the fall of 2020 brought a return to in-person learning. For some, the return to school meant navigating daily interactions with the person who harmed them. VRLC attorneys advocated for robust and enforceable safety plans so clients could feel safe at school. We helped clients obtain the special education services they needed, including those they missed out on during remote learning, and advised them through the often-confusing Title IX grievance process. In

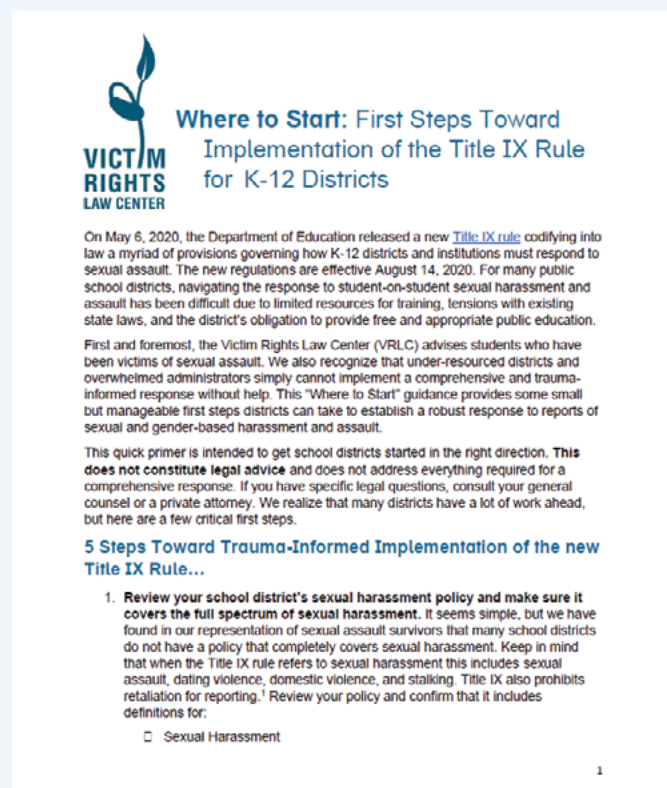


recognition that districts were struggling to implement the new Title IX Regulations, we created *Where to Start: First Steps Toward Implementation of the Title IX Rule for K-12 Districts*. This guide was generously supported by The Phyllis W. McGillicuddy Charitable Trust and was shared widely in Massachusetts, Oregon, and beyond.

In our higher education cases, we navigated the new reality that many university disciplinary hearings now include live, direct cross-examination. Virtual hearings required our attorneys to find new ways to ensure that clients were supported throughout a process that is more adversarial than ever. We developed expertise to make these virtual hearings trauma-informed and advocated to maintain our clients' privacy throughout.

In June 2020, the VRLC along with three organizational co-plaintiffs filed a lawsuit against then-Secretary of Education Betsy DeVos and the Department of Education, challenging the new Title IX regulations. The regulations added to the existing barriers survivors face every day. On July 28, 2021, a Massachusetts federal judge issued a decision in *VRLC et al. v. Cardona* following a November 2020 trial. Judge Young's decision vacated one of the most harmful and inequitable sections of the regulations, commonly referred to as the "exclusionary rule." The "exclusionary rule" prohibited from consideration any statements made by parties or witnesses if the individual who made the statement did not submit to cross-examination at a live hearing. The provision yielded deleterious and unreliable results. On August

24, 2021, in response to the decision, the Department of Education issued a letter confirming the Office for Civil Rights would no longer enforce the "exclusionary rule" provision. Despite the decision being narrower than we hoped, it was impactful. We have witnessed the impact firsthand when VRLC's own clients are given the opportunity to make a choice about whether to participate in cross-examination. We are deeply grateful to the team of attorneys who represented the VRLC, including National Women's Law Center, Morrison & Foerster LLP, and Diane Rosenfeld.



Where to Start: First Steps Toward Implementation of the Title IX Rule for K-12 Districts.



## THANK YOU TO OUR PRO BONO ATTORNEYS



## PRO BONO PARTNERSHIPS

The VRLC relies on the assistance of pro bono attorneys and legal paraprofessionals to help provide free civil legal assistance to survivors in Massachusetts and Oregon. This year pro bono attorneys handled a variety of complex appeals for clients in the areas of privacy and safety, working to strengthen protections for survivors. One highlight from this year was that pro bono attorneys in Massachusetts logged over 1,000 hours helping to serve survivors, resulting in over 30 VRLC clients receiving assistance that they would not have been able to receive otherwise without the help of our pro bono partners.

Bennett Hartman  
Cappelli Law  
Conn Kavanaugh Rosenthal Peisch & Ford  
LLP  
Crispin Marton Cambreleng  
Tiffany Davidson  
Dechert LLP  
Dumas & Vaughn, LLC  
Foley Hoag LLP  
Goodwin LLP  
Goulston & Storrs  
Harriman Law  
Knuuttila Law  
Law Office of Sam Lambroza  
Levy & Blackman LLP  
Manatt, Phelps & Phillips LLP  
McCarter & English, LLP  
McDermott Will & Emery  
Miller, Nash, Graham & Dunn  
Mintz, Levin, Cohn, Ferris, Glovsky & Popeo,  
P.C  
Morgan Lewis  
Perkins Coie LLP  
Proskauer LLP  
Seyfarth Shaw LLP  
Sinclair Law LLC  
Stoel Rives LLP  
WilmerHale  
Wolf Greenfield





## BE THE LIGHT CAMPAIGN

Summer-Fall 2020

During the VRLC’s FY21 year, we were unable to safely hold our annual Shining Star Gala in-person. In its place, we launched a digital fundraising campaign on July 6, 2020 to raise critical unrestricted funds that the gala brings in each year. Our “**Be The Light**” campaign aimed to raise awareness on how COVID-19 affected survivors through a series of videos and infographics that we shared via email, social media, and on our website. Topics included:

- Survivors Trapped at Home
- Increased Survivor Needs
- Spikes in Child Sexual Abuse
- Racial Disparities Among Survivors
- Abuse Targeted at Immigrants
- New Title IX Regulations

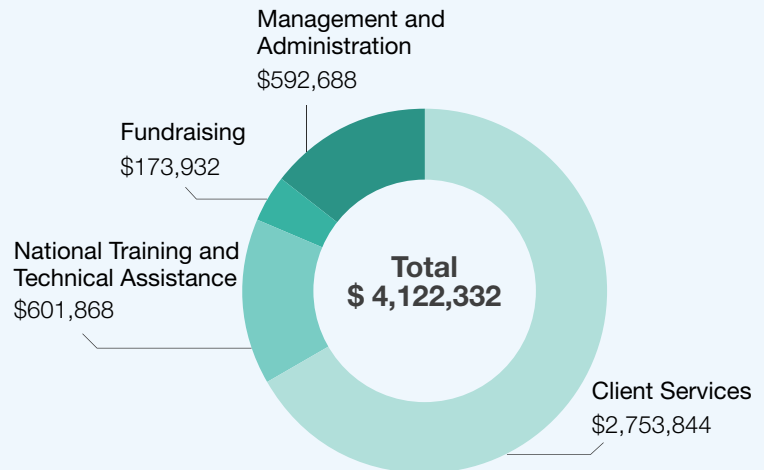
The campaign commenced in the fall of 2020, raising over \$213,000 in support of sexual assault survivors.

Thank you to our generous supporters with a special thanks to our Illumination Contributors, Marybeth Burke and Sam Lambroza, Michele and Howard Kessler, Georgia Murray and Mark Maloney, Brenda and Rick Sharton, and Al Tringali and Stacy Malone.

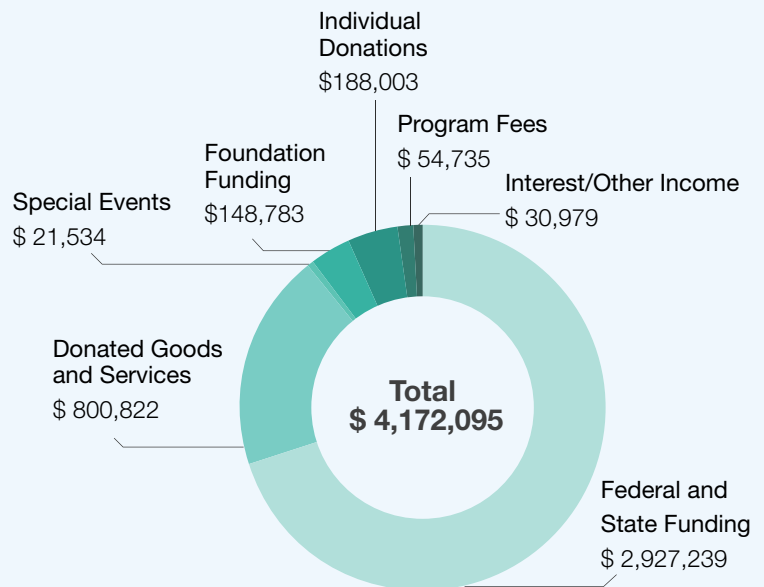
Thank you to our Radiance Contributors, Biogen Inc., Casner & Edwards, Feldman Geospatial, Foley Hoag LLP, Harriman Law, Robert Insolia, Kristin Knuuttila, Manatt, Phelps & Phillips, LLP, Deb and Steve Marcus, Morgan Lewis, Andrea Robinson and Jonathan Talamo, Seyfarth Shaw Charitable Foundation, and Christopher and Margaret Price.

## VRLC Financials: FY21 Funding

### Expense



### Revenue



## \$10,000 and above

Anonymous  
Marybeth Burke and Sam Lambroza  
Casner & Edwards, LLP  
Michele and Howard Kessler  
Morgan Lewis & Bockius LLP  
Georgia Murray and Mark Maloney  
Christopher and Margaret Price  
Brenda and Rick Sharton  
The Miriam Fund  
Al Tringali and Stacy Malone  
USA 500 Clubs  
The William H. Donner Foundation, Inc.

## \$5,000 – \$9,999

Anonymous II  
Anonymous III  
Anonymous IV  
Biogen  
Anne E. Borghesani Community Foundation  
By Land or Sea Foundation  
Foley Hoag LLP  
Goodwin LLP  
Robert Insolia  
Jackson Lewis P.C.  
Kirkland and Ellis  
Kristin Knuuttila  
Manatt, Phelps & Phillips, LLP  
Deb and Steve Marcus

McDermott Will & Emery  
Krista Green Pratt and Josh Pratt  
Andrea Robinson and Jonathan Talamo  
Seyfarth Shaw LLP  
Cindy Vreeland and David Jones

## \$2,000 – \$4,999

Spectra A. I. Asala  
Beth Israel Deaconess Medical Center  
Doreen Binder  
Cane Systems, LLC  
Rebecca and Allan Chasen  
Eastern Bank Charitable Foundation  
Susan Estrich  
Feldman Geospatial  
Anne Flink  
FTI Consulting  
Harriman Law  
McCarter & English, LLP  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
Kathryn I. Murtagh  
Karen O'Malley and Michael Feldman  
Oregon Jewish Community Youth Foundation  
Joan Sapir and Joel Ristuccia  
Sharon and Alan Weston  
WilmerHale  
Maegan and PJ Wilkinson

**\$1,000 – \$1,999**

Alexion Pharmaceuticals Inc.  
Ankura Consulting Group  
Anonymous V  
Anonymous VI  
Anonymous VII  
Anonymous VIII  
Birch Hill Investment Advisors LLC  
Mitch and Karoline Brock  
Chrisicos Interiors  
Nicholas and Gretchen Covino  
Conn Kavanaugh Rosenthal Peisch & Ford,  
LLP  
Cornerstone Research  
Deloitte  
Birgitta Dickerson and James Crowley  
Amy Eagleburger  
Rebecca and Richard Hahn  
Erin K. Higgins  
Insperity  
Carol and Dennis Kanin  
Jeff Larson  
Jim and Carolyn McGarry  
Philip and Iliana Mindlin  
Anthony D. Miranda  
Pamela Murray and Jay MacLaughlin  
New England Private Wealth Advisors, LLC  
Nutter McClennen & Fish LLP  
O'Connor Professional Group

Raj and Lori Pathak  
Carel Ristuccia  
Salesforce  
Ilene Seidman  
Anna Thorton  
Anne and Bill Tobin  
Jeffrey Weiner



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