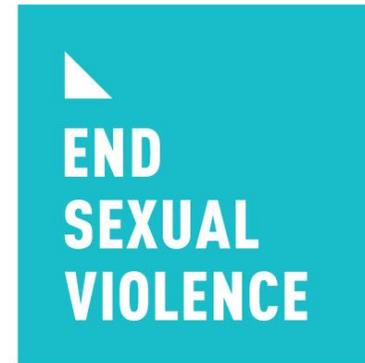


Federal & State Sexual  
Violence Policy  
Beyond the Breakthrough  
NSAC  
August, 2019

Terri Poore, Policy Director  
Ellen Fern, GA Consultant  
National Alliance to End Sexual Violence

Ramya Sekaran  
Justice Catalyst Fellow  
National Women's Law Center



National Alliance to  
End Sexual Violence



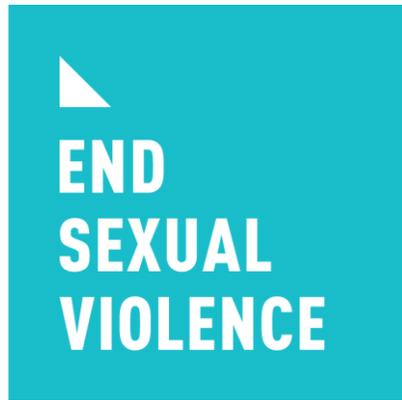
# RALIANCE

Ending Sexual Violence in One Generation



**RALIANCE is a national partnership dedicated to ending sexual violence in one generation.**

**NSVRC, NAESV, CALCASA-Prevent Connect**



**National Alliance to  
End Sexual Violence**

# About NAESV

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The National Alliance to End Sexual Violence is the voice in Washington for the 56 state and territorial coalitions and 1300 rape crisis centers working in their communities to end sexual violence and support survivors.



We are **advocates, experts, and lawyers who fight for gender justice**, taking on issues that are central to the lives of women and girls. We **drive change in the courts, in public policy, and in our society**, especially for women facing multiple forms of discrimination.

# Agenda

Introductions

Context

Federal legislation & policy

State legislation & policy

Discussion





Hearing Room  
Capitol Hill  
10:33 AM ET

**HISTORIC HEARING**

**CHRISTINE BLASEY FORD TESTIFIES ON KAVANAUGH ALLEGATIONS**

**LIVE**

**CNN**

10:33 AM ET

IT'S NOT HER PLACE TO DETERMINE WHETHER KAVANAUGH WOULD ULT NEWSROOM



**NAESV** @endsxlviole... · 6 Oct 2018

Our resolve 2 stand with all survivors is stronger than ever. Nothing can hold back our stories, our power, our advocacy. #Kavanaugh confirmation is a deeply disappointing setback, & we are outraged at Senate leadership. But we won't go back, & we won't give up. #BelieveSurvivors

Congressional Briefing April 3:  
The Work of Rape Crisis Centers  
Community Leaders Addressing & Ending Sexual Violence



# Federal Appropriations Context

Programs aimed at preventing and responding to sexual assault such as the Violence Against Women Act (VAWA), Sexual Assault Services Program (SASP), Victims of Crime Act (VOCA), and the Rape Prevention & Education Program (RPE) have been incredibly successful.

The demand for both services and prevention has skyrocketed with sexual violence part of the national conversation every day.

According to a 2018 survey by NAESV, over half of rape crisis centers have a waiting list for counseling & 40% have a waiting list of 30 days or more for prevention programs.

# Appropriations Advocacy

Committee Staff Meetings

Coalition/Grassroots Advocacy

Member Requests

Field Letter

Written testimony

# Challenge: Need New Budget Deal



- Discretionary spending caps (i.e., Sequestration) back in play for FY 20.
- Need new budget deal to raise discretionary spending caps to ensure drastic spending cuts do not occur.
- House bills are done, but Senate is waiting on a budget deal.
- Another budget crisis may be looming.

FY 19 \$3.5 billion

FY 18 \$4.4 billion

FY 20 President's budget \$2.3 billion

FY 20 advocates' ask: \$2.6 billion

FY 20 House: \$2.8 with major transfers

FY 19 \$37.5 million

FY 18 \$35 million

FY 20 President's budget \$35 million

FY 20 advocates' ask: \$50 million

FY 20 House: \$50

SASP

FY 19 \$49.4 million

FY 18 \$49.4 million

FY 20 President's budget: level funding

FY 20 advocates' ask: \$75 million

FY 20 House: \$60 (after floor amendment increasing from 54.4 to 60)

# VAWA 2019 Key issues

NO ROLLBACKS

Maintain current resources and protections

Housing

Prevention

Tribal

Alternative approaches to CJ

Firearms

Economic justice

Home

survivors. For

Bipartisan HR 1585 passed on April 4 including all of the advocates' major priorities.

Washing

endsexu

Joined E

222 Pho

Senators, we need a VAWA reauthorization like H.R. 1585 now!



NAESV @endsxlviolece · Mar 7

Our own Ebony Tucker joining @RepBrianFitz @RepKarenBass @SpeakerPelosi for bipartisan intro of #VAWA19 #VAWA19

Tweet

to

buster

d show

# Senate

Working with key offices – leadership, Judiciary (Feinstein and Graham) and Senator Ernst

Working from HR 1585

Bipartisan process

Senator Cornyn's floor speeches

Election dynamics

Non-discrimination

Native American protections

Housing protections

Firearms

Areas of disagreement

## Bringing an End to Harassment by Enhancing Accountability and Rejecting Discrimination in the Workplace Act (BE HEARD in the Workplace Act)

The first comprehensive federal proposal to address workplace harassment in the wake of #MeToo

- Protecting more workers
- Removing barriers to access to justice
- Promoting transparency and accountability
- Funding and requiring prevention
- Increasing access to legal services for workers in low-wage jobs



# Other Legislation & Major Advocacy Efforts

SASCA (Survivors' Access to Supportive Care Act)

Equality Act

Debbie Smith Reauthorization

CAPTA (Child Abuse Prevention & Treatment Act)

SAAM Resolutions

Closing Law Enforcement Consent Loophole

VOCA Advocacy

Title IX NPRM

# Advocacy Efforts and Issues in States

Workplace  
Harassment

Prevention/Sex  
Education/Consent

Campus/Rights of  
students

Housing  
Protections

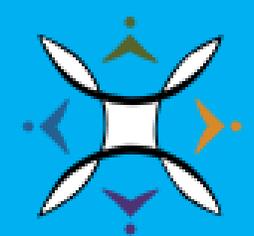
Marriage Age

Criminal Justice  
Reform

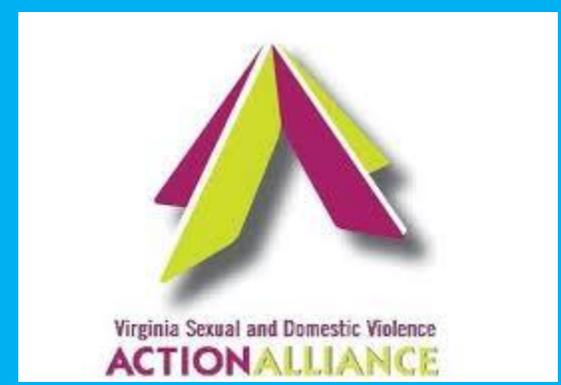
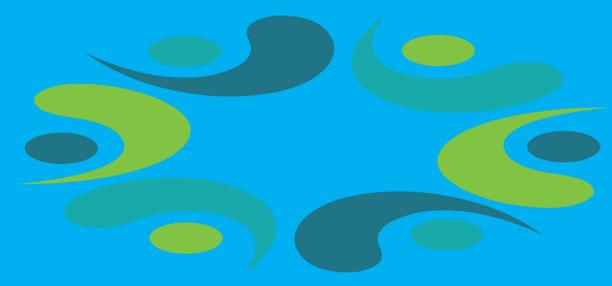
Responses to  
trafficking

Survivor Rights

Reproductive  
Rights



mcadsv



## Reforming Harassment Law in #20StatesBy2020

In January of this year, over 300 state legislators representing 40 states and D.C. signed a [letter of commitment](#) to strengthen protections against sexual harassment and violence in at **least 20 states by 2020**.



# Prevention/ Sex Education/ Consent

**Colorado HB19-1032:** Requires public schools that offer comprehensive human sexuality education teach about consent; factually accurate info; hope to make ed required in the future

**Oklahoma SB926: Consent Education in Sex Education:** Requires that information about consent shall be included in any sex education class or program that discusses sexual behavior, abstinence only programs included.

**Virginia SB 2005:** Requires any high school family life education curriculum offered by a local school division to incorporate age-appropriate elements of effective and evidence-based programs on the law and meaning of consent.



# Campus Protections

- **Texas:** Several bills. Authorizes Higher Ed Coordinating Board to investigate complaints of statutory violations; Retaliation protections; Requires institutions to report aggregate data on the complaints received, how many were investigated, how many dismissed, etc.
- **Colorado:** Preponderance Standard; Confidentiality for campus advocates; Prohibited right to active counsel.
- Bad bills defeated: Missouri, Virginia

## Civil Statute of Limitations

- Vermont
- Rhode Island
- New Jersey

**VICTORY!**

**CIVIL STATUTE  
OF LIMITATIONS  
EXPANDED**

**FOR SURVIVORS OF SEXUAL ASSAULT  
IN NEW JERSEY!**



# Housing Rights

Colorado

Missouri

Vermont

Lease termination

Lock Changes



Browser tabs: Gene, Immig, Immig, Immig, Coalit, Recon, Cospo, Text, (9) Ser, NTF in, 940 U.S. G, Microsoft, Text, Public, News, f (1) Fa, safe h, Ch x

Address bar: <https://www.tahirih.org/what-we-do/policy-advocacy/child-marriage-policy/>

Most Visited: Getting Started, Alan Mulally - Wikip... <https://www.google.c...>

**TAHIRIH JUSTICE CENTER.** [DONATE](#) [GET HELP](#) f t i y in Search

[ABOUT US](#) **[WHAT WE DO](#)** [WHO WE SERVE](#) [GET INVOLVED](#) [GIVE](#) [NEWS](#) [LOCATIONS](#)

### Child Marriage Policy

Child marriage is a serious problem in the United States, affecting thousands of children each year. The Tahirih Justice Center is proud to be leading the campaign to end child marriage across the nation and is working to change antiquated state laws that fail to protect children from abuse and coercion.

In 2016, Tahirih drafted and spearheaded the bipartisan passage of a [new law that made Virginia the first state in the country to limit marriage to legal adults](#). Now, we are providing our legal expertise and advocacy on bills in a growing number of states. Navigate the resources below to learn more about child marriage and the laws that allow it to persist in present-day America.

**If you are facing or fleeing a forced marriage or know someone who is, please visit [preventforcedmarriage.org](http://preventforcedmarriage.org) to get help.**



[LEARN ABOUT CHILD MARRIAGE IN THE U.S.](#)



[READ OUR MARRIAGE AGE LAW COMPILATION](#)



[READ OUR 50-STATE REPORT](#)

Taskbar: W, e, X, N, O, P, 100%, 7:07 7/11

# Marriage Age

- Idaho
- Pennsylvania



## State abortion restrictions:

- [Louisiana](#) passed a fetal heartbeat law in May. ([Effective](#) if a judge lifts the block in the Mississippi suit.)
- [Alabama](#) passed a near total ban on abortion. (Effective [November 2019](#).)
- [Ohio](#) passed a fetal heartbeat law. It was [temporarily blocked](#) by a judge in early July.
- [Kentucky](#) passed a fetal heartbeat law. It's been [temporarily blocked](#) by a judge.
- [Mississippi](#) passed a fetal heartbeat law. It's been [temporarily blocked](#) by a judge.
- [Georgia](#) passed a fetal heartbeat law. (Effective [January 2020](#).)
- [Utah](#) voted to limit abortions to the middle of the second trimester. (Currently effective as of [May 14](#))
- [Arkansas](#) voted to limit abortions to the middle of the second trimester. ([Currently effective](#).)
- [Missouri](#) signed into law a ban on abortions at 8 weeks of pregnancy. (Effective August 2019.) (Axios July 2019)

Abortion restrictions and sexual violence are rooted in the same sexism. @NPWF & @endsxlviolece are joining together during #SAAM to speak out against efforts to control our bodies, lives, and futures. Learn more: [nationalpartnership.org/standtogether](https://nationalpartnership.org/standtogether)

Reproductive Justice



in · 9h  
the sexi...

Retweeted a

the sexi...

· 10h

state ...

Sexual

# Criminal Justice

Texas : Created a misdemeanor  
crime

Kentucky: Training requirements for  
law enforcement and emergency  
responders



# Crimes related to trafficking victimization

- Nevada
- Idaho
- Missouri

- Photo credit: Christian Science Monitor of Cyntoia Brown



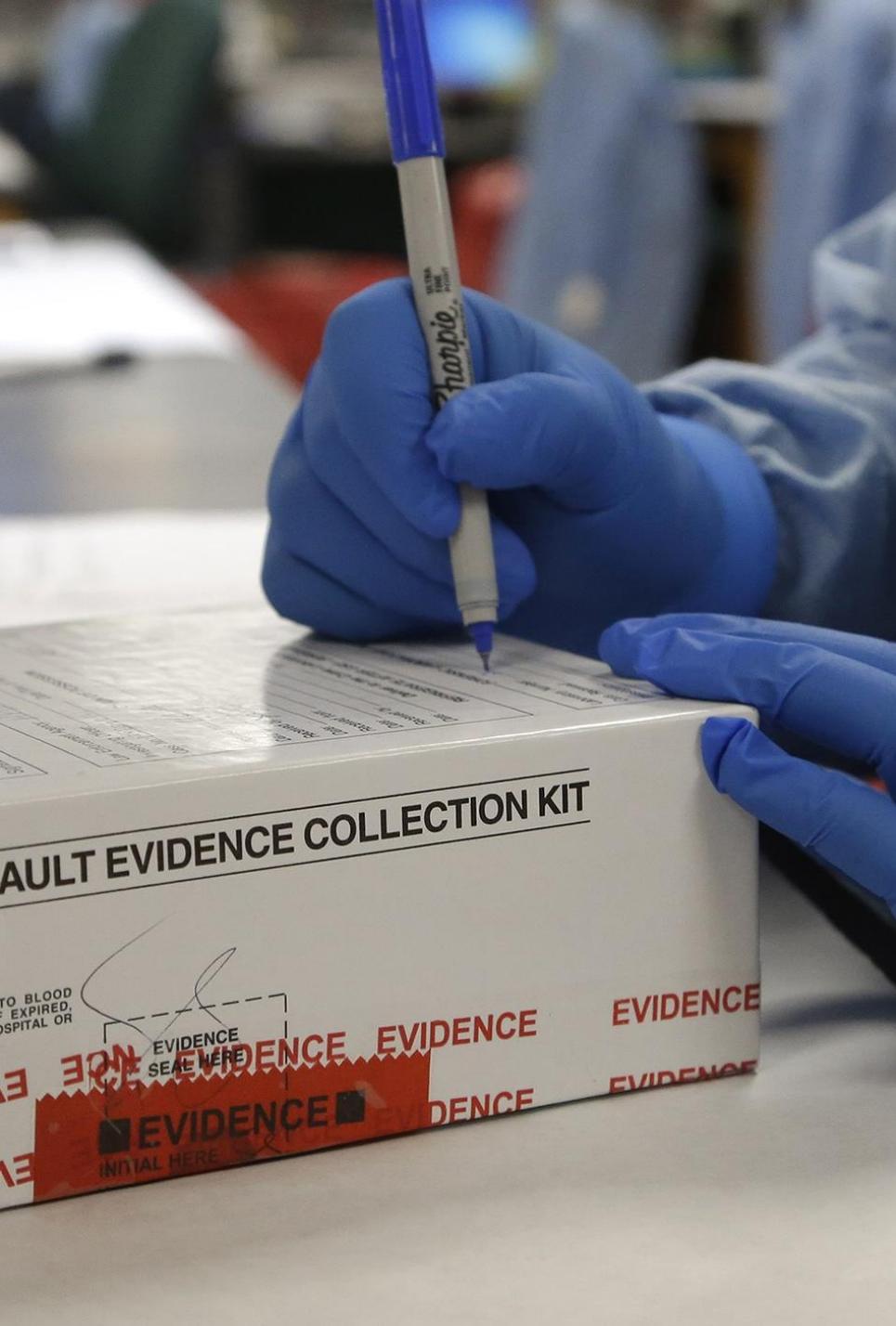
The screenshot shows the website [www.endthebacklog.org/ending-backlog/state-responses](http://www.endthebacklog.org/ending-backlog/state-responses). The page features the 'END THE BACKLOG' logo and navigation links for 'THE BACKLOG', 'ENDING THE BACKLOG', 'FOR SURVIVORS', 'TAKE ACTION', 'NEWS & MEDIA', and 'ABOUT US'. The main content area is titled 'State Responses' and includes a sub-header: 'A growing number of states are taking steps to end the untested rape kit backlog:'. Below this, there are five bullet points detailing state actions:

- Inventories:** Some states, including [Alaska](#), [Indiana](#), [Missouri](#), and [North Carolina](#), have taken the first step toward addressing their backlogs by requiring law enforcement agencies to conduct an inventory of untested rape kits in their custody.
- Mandatory testing of newly collected kits:** To ensure the backlog never happens again, states such as [Connecticut](#), [Florida](#), [Georgia](#), [Illinois](#), and [New York](#) have enacted laws that require law enforcement to submit rape kits to labs for testing within certain time frames.
- Mandatory testing of backlogged kits:** To eliminate the backlog, states such as [Colorado](#) and [Massachusetts](#) have made it a law that all backlogged kits must be tested.
- Survivors' Right to Notice:** A few states, including [California](#), [Kentucky](#), [Oregon](#), [Pennsylvania](#), and [Utah](#), have given survivors the right to know the status of their kit.
- Rape Kit Tracking Systems:** [Arizona](#), [Idaho](#), [Ohio](#), [Texas](#), and [Washington](#), among others, are establishing rape kit tracking systems to increase accountability and provide survivors with a mechanism through which they can track their kit.
- Funding:** Some states have included funding for rape kit testing in their budgets. In 2018, [Alaska](#) appropriated \$2.75 million to test every rape kit in the state, and [California](#)

The right sidebar contains a menu with 'STATE RESPONSES' highlighted, and a 'What Can I Do?' section with a 'LEARN MORE ABOUT THE BACKLOG' button.

- Texas: Access/Telehealth
- Idaho: Testing all kits
- Washington: Access/Required training on victim notification

# Forensic Exam (Backlog, Access, Testing Registry)



# Sexual Assault Survivors' Bill of Rights

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- West Virginia
- Nevada
- Washington

# Marsy's Law

The screenshot shows a web browser window displaying the Ballotpedia article "Marsy's Law in the states". The browser's address bar shows the URL [https://ballotpedia.org/Marsy's\\_Law\\_crime\\_victim\\_rights](https://ballotpedia.org/Marsy's_Law_crime_victim_rights). The page header includes the Ballotpedia logo, a search bar, and navigation links like "Subscribe" and "Donate to Ballotpedia".

## Marsy's Law in the states

As of June 2019, Marsy's Law measures had been approved in 12 states and overturned in two of those states. Measures concerning Marsy's Law crime victim rights amendments were on the ballot in six states for 2018 elections. Electors in all six states voted to approve the amendments.

Henry Nicholas and [Marsy's Law for All](#) (including state branches of Marsy's Law for All) financially supported the measures.

The following map shows the status of Marsy's Law across the states:

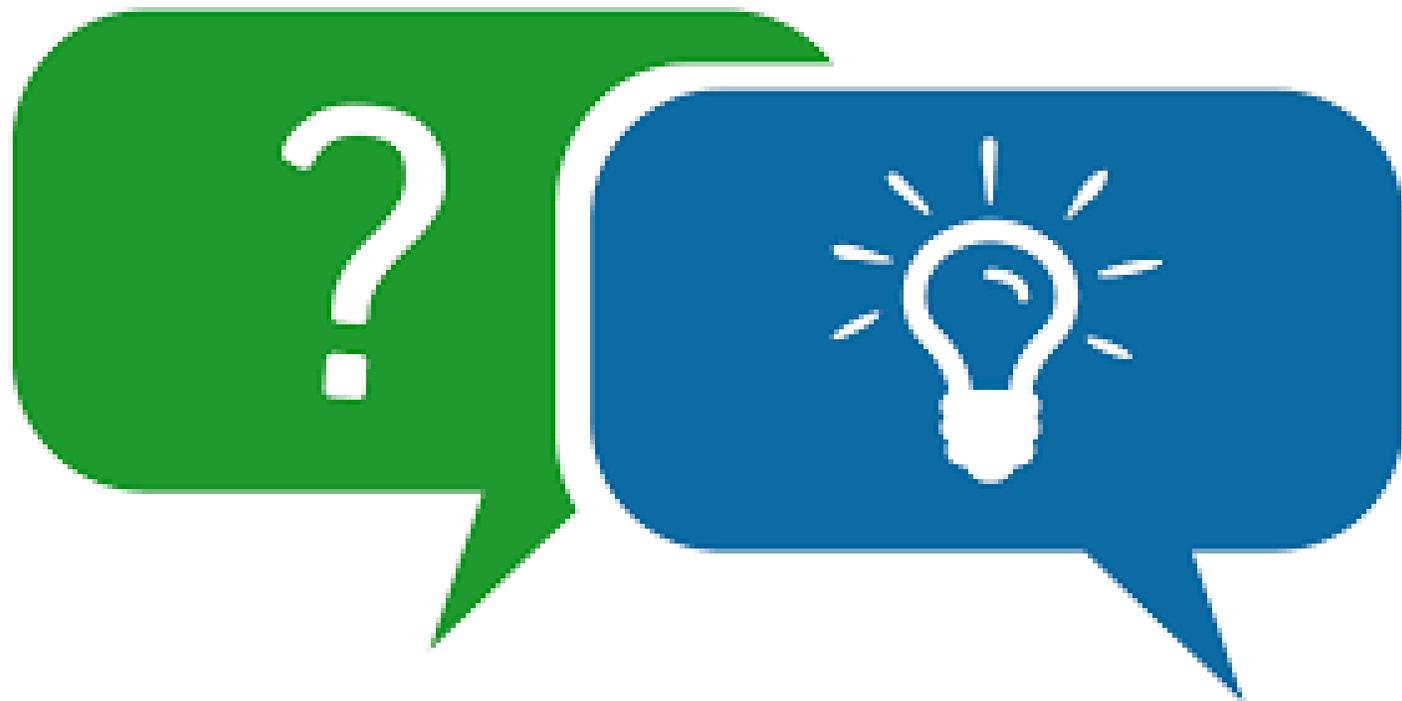
### Status of Marsy's Law in the United States

State	Status
Alaska	None
Arizona	Amendment
Arkansas	None
California	Marsy's Law
Colorado	Amendment
Connecticut	Amendment
Delaware	Amendment
District of Columbia	Amendment
Florida	Marsy's Law
Georgia	Amendment
Idaho	Amendment
Illinois	Marsy's Law
Indiana	Amendment
Iowa	Amendment
Kansas	Amendment
Kentucky	Amendment
Louisiana	Amendment
Maine	Amendment
Maryland	Amendment
Massachusetts	Amendment
Michigan	Amendment
Minnesota	Amendment
Mississippi	Amendment
Missouri	Amendment
Montana	Amendment
Nebraska	Marsy's Law
Nevada	Amendment
New Hampshire	Amendment
New Jersey	Amendment
New Mexico	Amendment
New York	Amendment
North Carolina	Amendment
North Dakota	Marsy's Law
Ohio	Marsy's Law
Oklahoma	Marsy's Law
Oregon	Amendment
Pennsylvania	Amendment
Rhode Island	Amendment
South Carolina	Amendment
South Dakota	Amendment
Tennessee	Amendment
Texas	Amendment
Utah	Amendment
Vermont	Amendment
Virginia	Amendment
Washington	Amendment
West Virginia	Amendment
Wisconsin	Vote in 2019 or 2020
Wyoming	Amendment

Map: Ballotpedia • Source: [Marsy's Law for All](#)

**FREE COUPON**

Discussion



The background features several sets of concentric, curved lines in shades of gray, some solid and some dashed, creating a sense of motion and depth. A large blue speech bubble is positioned on the left side of the slide.

Thank you!

- Need one-on-one support on legislation?
- Terri: [terri@endsexualviolence.org](mailto:terri@endsexualviolence.org)
- Ramya: [Rsekaran@nwlc.org](mailto:Rsekaran@nwlc.org)