



Testimony in Support of HB 3476
Submitted to the House Committee on Judiciary
Submitted by: Detective Carrie Hull, Program Director
March 25, 2015

Chair Barker, and members of the Committee,

My name is Carrie Hull and I am the Program Director for the You Have Options Program and a detective at the Ashland Police Department. Created by law enforcement for the benefit of law enforcement and victims alike, the You Have Options Program focuses on changing two areas in the criminal justice response to sexual violence: Increasing the number of victims who report to law enforcement, and thoroughly investigating identified sexual offenders for serial perpetration. The You Have Options Program is a national program available to any sworn law enforcement agency that recognizes the need for a victim-centered and offender-focused response to sexual violence as outlined within the program's 20 Elements. A crucial foundation of the program, both during development and in ongoing implementation, is meaningful and informed collaboration between law enforcement and victim advocacy.

During the development of the You Have Options Program, the Ashland Police Department realized that the astoundingly low rate of reporting to law enforcement by victims of gender violence was an indication of victims' mistrust of the legal system: in other words, traditional methods of investigating these crimes were actually contributing to an environment that kept victims from feeling safe enough to report the details of their victimization as they were able to remember them.

Traditional law enforcement response to sexual violence tends to discourage sexual assault victims from seeking assistance through the criminal justice system. As a result, law enforcement often does not receive the information necessary to hold sexual offenders accountable, allowing offenders to go on to victimize additional persons.

In an attempt to move away from this traditional law enforcement response, investigators initiated conversations with sexual assault advocates and other experts in the field of sexual assault investigation, response, and prevention. Victims who did report were asked for their assistance in identifying ways the police department could bring positive change to the reporting process and any subsequent investigation. Almost every victim that investigators spoke with mentioned the same concern: the fear of not being believed.

Realizing that this was overwhelmingly one of the most common barriers to reporting a gender violence crime to law enforcement, we determined that one of the ways this barrier could be addressed was by offering victims the opportunity to first meet with a confidential advocate who was well educated on

the criminal justice options available. I stress the importance of true confidentiality as an integral part of providing survivors with a safe, supportive system for entering into the criminal justice process.

We have found that when victims are given the time they need to make a decision that is right for them, independent of the needs of the criminal justice system, they often will still choose to meet in some capacity with law enforcement and provide information on criminal activity that law enforcement would otherwise not have access to. This important first step is key to ultimately making it harder for sexual offenders to continue their manipulation of victims and the criminal justice system by as within a traditional law enforcement response offenders often rely on victims not reporting and if they do report, not being believed.

I continue to see the benefit to the criminal justice system when a victim has access to a confidential person that is solely there for them. Victims often, understandably, have inaccurate information about criminal justice processes and are often more willing to share their confusion and concerns with a person not affiliated with law enforcement. Many victims do not have access to legal advice and may only be able to obtain assistance, including important safety information, from advocacy. HB3476 offers the option to strengthen this important component by clearly defining advocate privilege and by allowing an advocate to reassure a victim that what is told to them in confidence, as options are explored and concerns are voiced, will remain confidential. The importance of this additional reassurance to victims seeking help cannot be overstated.

As a detective I have personally worked with many sexual assault survivors who told me during the course of the criminal investigation that they did not believe they ever would have reported their experience to law enforcement without first having the option to meet confidentially with an advocate. One such survivor said to me, "I wasn't sure in the beginning if I could go to trial but you still put in the effort and now he's in prison. I would never have worked with police without this program." Important to note is that this survivor would likely never have come to see me without first learning of her options in a confidential capacity with her advocate.

For these reasons, passage of HB 3476 is supported by the You Have Options Program.

Thank you for the opportunity to provide testimony in support of this bill. I welcome any questions the committee may have.

Respectfully submitted,



Carrie Hull
Program Director