



Report: Survivors Listening Session

PREPARED FOR THE GOVERNOR'S COUNCIL TO ADDRESS SEXUAL ASSAULT, DOMESTIC VIOLENCE, AND HUMAN TRAFFICKING

August 28, 2024

About the Listening Session

On June 20, 2024, the Governor's Council to Address Sexual Assault, Domestic Violence, and Human Trafficking ran a Survivors Listening Session event. The purpose of this event was to provide a forum for survivors of sexual violence, domestic violence, and/or human trafficking to share their perspectives, lived experiences, and needs with Massachusetts policymakers. In the course of this event, survivors formulated testimonies and policy recommendations. The session was planned and run by Vilma Uribe, and the Institute for Community Health provided support with participatory planning and trauma-informed facilitation for this event.

Informed by trauma-informed principles, we developed values that guided our planning and facilitation of the Listening Session as part of the planning process. These values are:

- Survivors are experts and will be respected as experts
- We honor both vulnerability (sharing) and boundaries (not sharing)
- We welcome multiple ways of knowing and multiple ways of communicating
- Survivors will be heard and believed

We conducted our participatory planning process in two stages. First, in the weeks before the Listening Session, we held pre-session planning meetings on Zoom with a subset of survivors who planned to participate. During those planning sessions, we discussed the session values, exchanged ideas about our objectives and the survivors' objectives, and gathered feedback about different session designs.

Second, on the day of the session, survivors and facilitators gathered in the morning. We devoted the morning and early afternoon to preparation and planning for the Listening Session itself.

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The agenda for the day was:

9:00 - 9:30	Breakfast and informal conversation
9:30 - 10:00	Welcome and Introductions Icebreaker Develop Community Guidelines
10:00 - 11:00	Small group work <i>Two groups were formed: one focusing on preparing individual testimonies and another focusing on developing policy recommendations. Another subset of individuals worked alone on their own testimonies.</i>
11:00 - 11:30	Check-in and Listening Session agenda preparation
11:30 - 12:30	Continued small group work
12:30 - 1:30	Lunch with Lieutenant Governor
1:30 - 2:00	Setup and last-minute preparation, audience arrives
2:00 - 3:30	Listening Session
3:30 - 4:00	Debrief and Cleanup

Participating survivors: There were 16 survivors who participated in the Listening Session planning and shared their experiences. In this group were people who had survived domestic violence, sexual assault, or trafficking, while some had survived more than one of these types of violence.

Listeners: The session was introduced by the Massachusetts Lieutenant Governor, Kim Driscoll. There were 54 registered attendees from a range of Massachusetts organizations and government agencies for the session. These included 32 who described themselves as community-based providers and 18 who described themselves as state agency representatives. Among the state agency representatives were representatives from seven executive offices, three county district attorneys' (DA) offices, two from the Department of Children and Families (DCF), one from the Attorney General's Office, and one from a state representative's office.

What We Learned – Themes from Survivors' Testimonies

There were a number of themes that stood out from the testimony offered by survivors.

Financial cost of surviving and escaping abuse: Surviving abuse, escaping abuse, and living with the consequences after abuse ends is expensive. Often, abusers control

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survivors through financial controls, among other means. Survivors repeatedly narrated how financial insecurity impeded their ability to escape, to heal, to build new lives, and to create a safe space for their children.

Pervasive disrespect and

disbelief: Survivors described their experiences with law enforcement, the legal system, and social services as characterized by skepticism, disbelief, and disrespect. Some survivors drew similarities between the communication patterns in the legal system and the conditions of their abuse.

“Every time I showed up in court, they told me it was my fault.”

Institutional betrayal: One survivor shared that “a system meant to protect me nearly destroyed me.” A strong theme across the different testimonies was that interactions with courts, law enforcement, and DCF are big parts of the problems experienced by survivors. These problems include survivors being required to publicly revisit and retell the worst moments of their lives while being subjected to hostile questioning, survivors being criminalized, and survivors being separated from their children.

Catch 22s: Survivors frequently spoke of being forced into impossible decisions, including being forced to choose whether to seek protection for themselves versus protecting their children or choosing to protect themselves by pressing charges

“[They said,] ‘If you press charges, you will lose custody of your child.’”

against their abusers, but at the cost of a deeply triggering and damaging process of repeatedly testifying about their abuse and being cross-examined.

Recommendations Formulated by Survivors

Survivors formulated a number of recommendations during the planning session, as follows.

Therapy on demand: Access to therapy for themselves and their children was a major challenge for survivors. They recommended that quick access to unlimited therapy would be an important potential benefit for survivors. They also recommended that having survived domestic violence, sexual assault, or trafficking should be enough to qualify for therapy – a mental health diagnosis should not also be required, as it

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currently is under some insurance plans. A mental health diagnosis can cause other problems down the road for survivors, for example, in child custody disputes, and this can, therefore, cause survivors to decide to try to manage without therapy.

Court procedures: Survivors had a number of recommendations for changing court procedures. First, they recommended that a special court be created for survivors of domestic violence, sexual assault, and trafficking. This special court could be particularly adept at trauma-informed practices and institute procedures that would minimize negative impacts on survivors.

Survivors also formulated additional recommendations around court procedures:

- Provide support for survivors in juvenile court
- Implement bail reform to enhance survivor safety
- Require judges to conduct thorough reviews of prior assault histories and include child sexual assault cases in dangerousness hearings and holds
- Extend the duration of dangerousness hearings and holds

Finally, participants identified a need to have more options for ways to decriminalize survivors. This might include decriminalization of survivors of trafficking and of survivors who fought back against abusers.

Increased legal assistance for survivors: Survivors particularly need legal assistance around divorce, child custody proceedings, the Violence Against Women Act (VAWA) processes, and restraining orders. Financial support for legal assistance and/or access to lawyers with experience in domestic violence, sexual assault, and trafficking cases would be an important benefit to support survivors. Other legal reform recommendations were also identified, including allowing court watchers in juvenile cases and adoption cases and creating a registry of abusers.

Improve enforcement of restraining orders: Survivors identified a need for better enforcement of restraining orders with stronger rules and greater legal repercussions for those violating restraining orders, in

particular for repeated violations. To support this process, participants said hearing schedules around violations need to be expedited, and there needs to be more ability to hold abusers in custody before the hearing in order to protect survivors. Finally, reports of police inaction around restraining order violations should be addressed.

“In order to receive my restraining order, I had to retraumatize myself over and over.”

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Training for law enforcement and the court systems to address biases: Survivors identified a need for specific training for law enforcement and workers in the court system. These included culturally specific training to combat gender-based biases and biases against LGBTQIA survivors, training specifically about coercive control, and training about identification of abusers. These trainings should combat discrimination, dismissal of abuse severity, and lack of support and incorporate the latest research findings, including trauma-informed approaches in law enforcement and the legal system.

Benefits: Survivors need a stronger set of resources to escape abuse, protect their children, get back on their feet, and heal. Several have already been mentioned above, including therapy on demand and increased access to legal representation and advice. Other important resources include:

- Financial support
- Safe places to bring children
- Paid leave from work, including state/federal funding for small businesses so that they can support employees who are survivors
- Fast-tracked identification documents available to survivors and their children
- Food vouchers
- Childcare
- Emergency shelter, housing prioritization, and housing vouchers
- Job training

“Financial support has made a tremendous difference in my life.”

In addition to these concrete benefits and supports, survivors recommended better communication around existing available benefits because survivors often have difficulty learning about what is available.

Child Protection and DCF: Survivors had a number of recommendations about reforming the ways that the Department of Children and Families (DCF) interacts with parents and children who are survivors of abuse. First, the safety of children from abusers should be given the highest priority, and children should never be placed in the custody of an abusive parent. Second, policies around preventing parental alienation should be rethought with an eye on abuse history, including coercive control. Third, there should be revisions to reunification procedures in cases with histories of domestic violence, including the ability to pause the adoption timeline with DCF.

Address financial abuse in Divorce and Separation Agreements: Survivors recommended that courts take abuse history, including financial abuse, into account when making decisions on spousal alimony, child support, and asset division. Orders requiring survivors of abuse to financially support abusers should particularly be reevaluated.

What We Learned from the Process

- In the future, we will allocate more time for survivors to plan and prepare. Although some experienced challenges with transportation from farther-flung parts of the state and had competing commitments, the time allocated for planning and preparation felt rushed. Future sessions should allocate more time, perhaps by allocating multiple days for preparation or through additional online planning sessions. A retreat, where overnight accommodations and childcare are provided, could also be considered.
- We need to wrap up the session with recommendations for future actions. The Listening Session was a powerful experience for both listeners and survivors. However, we ended without a mission for listeners or a way for them to harness any energy they had experienced during the listening. Although the Lieutenant Governor's Council to Address Sexual Assault, Domestic Violence, and Human Trafficking sent out a follow-up email the next day addressing the next steps, future listening sessions should end with such steps.
- Survivors' groups are a wonderful resource for recruitment and support for survivors.
- We need to proactively recruit from a wider range of organizations to identify survivors who represent the full diversity of Massachusetts.
- There is interest in future Listening Sessions. The list of people registered to attend demonstrated that there is interest in learning from survivors through this type of forum from people in influential positions in Massachusetts. Participating survivors also discussed interest in holding additional sessions and in continuing this work.

"If my story makes one individual feel like they're not alone, me standing up here will be worth it."
