

"The time is
always right
to do what is
right."

Martin Luther
King, Jr.

INSIDE THIS ISSUE:

You Have Options Pro- gram	2
DV Homicides: 2013	3
Spotlight Article: Coos County	4
Teen Dating Violence Month	5
Revenge Porn	6
Trainings	7
One Billion Rising	8

The You Have Options Program:

Providing victims of sexual assault with options for reporting to law enforcement.

Providing law enforcement with information to hold sexual offenders accountable.

The **You Have Options** Program transforms the criminal justice response to sexual assault by focusing on two fundamental elements in the response to sexual violence: increasing the number of victims who report and thoroughly investigating identified offenders for serial perpetration.

For too long those in law enforcement who have had the ability to remove sexual offenders from society have rarely received the information necessary to do so. Barriers to reporting sexual assault such as confidentiality and fear of not being believed keep the majority of sexual assault victims from reporting their experience, preventing law enforcement from investigating the offender. Those same offenders often go on to victimize additional victims with little to no chance of being held accountable for a single offense.

When a victim is given the ability to control certain aspects of a sexual assault investigation - such as who is contacted and if an arrest is made - law enforcement and the victim both benefit. Victims provide investigators with more accurate information, are more willing to identify their assailant, and participate more fully in the investigative and judicial process.

Victims are provided with the

time they need to make a decision that is right for them, independent of the needs of the criminal justice system, and are more likely to report a positive experience with law enforcement regardless of the judicial outcome.

The **You Have Options** Program offers three options for



reporting sexual assault including Information Only, Partial Investigation and Complete Investigation. A victim's access to advocacy and medical care is given priority, even when the victim does not initially choose to pursue a criminal investigation. **Every person who reports a sexual assault is provided with the following information:**

*A decision does not need to be made at the beginning of an investigation regarding whether they want to pursue charges against their attacker.

*They can request an investigation be initiated even if they nev-

er intend to have the offender arrested or charged with a crime.

*Evidence can be collected, processed and stored regardless of the choice to proceed with charges or participation in a Complete Investigation.

*They can meet with an investigator without providing their name or identifying information and discuss any questions prior to providing law enforcement with any details of the crime.

*They can request an assault that is past the current statute of limitations be investigated.

*They can anonymously report using an online report form.

*They can report using an online report form and choose to be contacted initially by an advocate instead of law enforcement.

*They can have an advocate with them for any and all steps in the reporting process.

Except in rare circumstances all of the following options are available to victims both during their initial sexual assault report and during any investigation that follows:

(Continued on Page 2)

You Have Options Program, Cont'd

*The victim controls who is contacted during an investigation.

*No person is told about the report until a victim is ready for the information to be known.

*The investigation can be tailored to fit a victim's individual needs and circumstance.

*Victims can disengage from the investigation or change between an Information Only, Partial Investigation or Complete Investigation at any time prior to the case being submitted to a District Attorney or an arrest being made.

By addressing the barriers victims face when reporting sexual assault, and thereby increasing the number of sexual assault reports, the **You Have Options** Program provides sexual assault investigators with information they would otherwise never have access to. Sexual predators target victims who are vulnerable, accessible, and lack credibility because they know this type of victim is unlikely to report to law enforcement, or if they do report they are unlikely to be believed.

The **You Have Options** Program changes this by providing victim-centered options for reporting resulting in more usable information for offender-focused investigations that identify serial sexual perpetration. With a victim's consent, investigative strategies focus on identifying serial sexual perpetration and are attempted in all sexual assault cases where an offender is identified. Investigators move beyond traditional sexual assault investigative practices that rely solely on gathering information from the victim and the suspect, and instead:

*Focus on how a suspect made the victim vulnerable, accessible, and appear to lack credibility and identi-

fying those who can corroborate that behavior.

*Identify witnesses to the victim's and suspect's behavior prior to and after the assault.

*Investigate online social networks to identify potential locations of digital evidence and/or additional persons to be interviewed.

*Utilize information gathering strategies that focus on identifying a suspect's current and/or former employers, residences, and schools attended.

*Interview an identified offender's acquaintances, friends, co-workers, past relationships, and others who may provide corroborative intelligence for motive, premeditation and/or lead an investigator to additional victims.

*Locate additional witnesses and/or victims of the suspect by obtaining records that reach beyond the traditional criminal history check to include NCIC offline searches and collaborating with child advocacy centers, child welfare offices, and sexual assault advocacy centers.

*Use serial sexual perpetration profile questions during interviews with those who have had contact with the suspect.

Identifying an offender's history of serial perpetration assists in providing a clearer picture of the initially reported incident to not only investigators but also prosecutors and in certain circumstances juries and judges. This information can be used to bring additional charges against the offender in regards to newly identified victims and may assist reluctant victims with the decision to pursue charges against their attacker. A documented history of sexual perpetration provides important information to those who tend to excuse perpetrator

behavior when only one victim has been identified.

Created in 2010 by Ashland Police Department Detective Carrie Hull, the **You Have Options** Program was implemented in varying developmental stages within the Ashland Police Department until January 2013 when the program was formalized and the program's website, www.ReportingOptions.org, was unveiled to the public.

The Ashland Police Department has documented a 45% increase in sexual assault reports from 2009 to 2012.

Equally as important have been the personal accounts from sexual assault victims documenting how the program has impacted their path through the criminal justice process and their recovery. It is not uncommon for both investigators and the advocates they work closely with to be told the victims felt "supported" and that a "weight has been lifted."

The **You Have Options** Program is a law enforcement led initiative working in partnership with advocacy and experts in the field of sexual assault response and prevention to ensure that the law enforcement response to sexual assault is not only appropriate but also effective.

tive.

Last July the Jackson County Sexual Assault Response Team received the 2013-2015 STOP VAWA Competitive Law Enforcement Project Grant to help fund the Ashland Police Department's development and implementation of the **You Have Options** Program. With the assistance of this grant the You Have Options Program will begin partnering in 2014 with law enforcement agencies from across the nation who are equally committed to changing how sexual predators are identified, investigated, and prosecuted in the United States. Currently, www.ReportingOptions.org is in a redesign process to allow for national implementation.

(Continued on page 3)

"A documented history of sexual perpetration provides important information to those who tend to excuse perpetrator behavior when only one victim has been identified."

You Have Options Program, Cont'd



Law enforcement partner agencies will be able to utilize www.ReportingOptions.org to obtain investigative checklists, strategy guides, information on updated best practices in victim interviewing

and sexual assault investigations, training curriculums, community outreach guides, program templates, and many other resources without having to duplicate efforts. Law enforcement agencies from Colorado, North Dakota, Alaska, Washington, North Carolina, Texas, and Oregon have all expressed interest in becoming **You Have Options** Program partners.

Recently, Dr. David Lisak was asked by Lynn Rosenthal's office (White House Advisor on Violence Against Women) if there were law enforce-

ment agencies he knew of doing a better job in the area of sexual assault response and investigation. Dr. Lisak responded by saying, "There are several jurisdictions that I either know of personally, or have heard reliably are doing a better job in sexual assault investigation. Most notably for me is the Ashland, Oregon police department, where detective Carrie Hull has spearheaded a model program, both in terms of its response to victims and in terms of its focus on thoroughly investigating the alleged offender. I firmly believe that if every police agency in the country adopted Ashland's model, sexual assault investigation AND prosecution would be radically transformed."

For more information, contact You Have Options Program manager Carrie Hull at carrie.hull@ashland.or.us.

DV HOMICIDES IN OREGON: 2013

Adrian Bird was shot and killed outside of her home by her estranged boyfriend, Dustin Michael Bryant, in Turner, Oregon on November 22, 2013. Adrian was 23 years old and the mother of a two-year old girl. Like so many Domestic Violence cases which sadly result in death, there was a history of Domestic Violence against Bird by Bryant; just three months before he killed Bird, Bryant had been sentenced to a lengthy term of probation for multiple DV-related charges. Ms. Bird was the victim in that case.

Ms. Bird was one of **21 victims** in **Oregon** who died as a result of Domestic Violence in 2013. The victims of those incidents include current, estranged, and

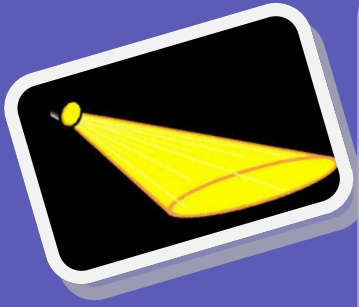
ex-intimate partners; family members (other than intimate partners); neighbors of the perpetrator/victim, and an officer responding to a Domestic Violence call. In total, there were **28 Domestic-Violence related deaths in our state last year.**

In addition to the 21 victims, there were five perpetrators who died as a result of self-inflicted injuries. There was also one death resulting from a case of self-defense (a man threatened a woman and three teenagers, broke into a room where all four were hiding, and was shot to death).

In addition to the deaths, there were individuals injured in these fatal incidents: one perpetrator attempted suicide after he killed his wife, but was not successful.

In another incident, a perpetrator attempted to murder a roommate (after the perpetrator killed his wife), but did not succeed.





SPOTLIGHT: A column featuring DV cases tried by local prosecutors so we can learn from each others' accomplishments, strategies, and, trial challenges.

Christopher Allen Edwards was on probation for multiple Domestic Violence convictions and 22 contempt charges when he abused his most recent victim.

SPOTLIGHT: Big Sentence for Serial DV Offender

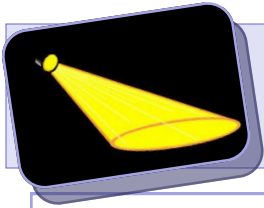
By: Sarah Lundstedt, Deputy District Attorney, Coos County District Attorney's Office

Christopher Allen Edwards is a serial Domestic Violence perpetrator. Before he planned, prepared for, and executed the abuse of his most recent victim in the fall of 2013, he had already been convicted of eight DV-related misdemeanor offenses. In fact, Edwards was on probation for his most recent (2011) convictions (including adjudications for twenty-two contempt charges), when he committed the crimes for which he would stand trial in December of last year. At issue in the multi-day trial were incidents spanning three separate days in a two-month period of time. As with most Domestic Violence cases this one was replete with factual and legal hurdles.

On September 21, 2013, the victim in the current offense, Amy*, went to Edwards' home which was an unfinished tool shed behind his parent's home in Coos Bay. Almost immediately upon answering the door, Edwards grabbed Amy by her hair, pulled her inside the house, and slammed her down onto the floor. Edwards got on top of Amy, punched her in the left temple, and then kicked her in the back of her head. Amy began to cry which only served to fuel Edwards' violence; he put his hand over her mouth, told her not to make any noise, and assured her that he could kill her if he wanted by snapping her neck. Finally, Amy convinced Edwards that they should leave the home to meet a friend at a nearby bar. Edwards agreed. When they arrived at the bar, Amy went to the restroom, borrowed a phone and called 911. Amy ultimately did talk to the police and even went to the local hospital where she was evaluated and treated for her injuries.

Unfortunately, September 21st was neither the first nor the last time that Edwards abused Amy. On October 18, 2013, Edwards and Amy were back together. Edwards was furious over his suspicion that Amy had gone to a local casino with an African-American man. Edwards yelled racial slurs at Amy while shoving food into her mouth. Amy continued to try and appease Edwards' jealousy by answering his questions/accusations, but he was unsatisfied. Edwards punched Amy in the face, causing her nose and mouth to bleed. Amy tried to roll away from Edwards, but he punched her in the ribs.

(Continued on page 5)



Spotlight, Continued

Edwards then grabbed a pair of hedge clippers and came after Amy. At this point, Amy began to punch and kick at Edwards. Seemingly surprised that Amy was fighting back, Edwards stopped physically abusing her for the moment. When Edwards finally fell asleep, Amy took the opportunity and left. Like before, she called 911 and was taken to the hospital for her injuries. It was after the October incident that the State was able to proceed with prosecuting Edwards.

I filed a Prior Bad Act motion to admit Edwards' prior acts towards Amy, those which precipitated her leaving him before September 21st, as well as his acts against his most recent known victim (before Amy). Judge Marshall Aminton allowed in evidence of Edwards' acts towards Amy, but not as to the other victim.

The challenges before and during trial were significant: Amy had painful, but not very visible injuries. She also admitted to being under the influence of methamphetamine during one of the incidents. Additionally, Amy was repeatedly asked about her history as an exotic dancer (my objections to these questions were sustained, but the information was still in front of the jury). I also objected when Edwards' attorney questioned Amy about DHS having taken her children from her.

Thankfully, the problems presented at trial did not overwhelm the jury: they convicted Edwards of seven charges, including three felonies. In addition, the jury agreed that there were multiple "aggravating" factors in this case, including that Edwards acted with deliberate cruelty to the victim and that he lacked empathy for her. After hearing from both the defense and prosecution, Judge Aminton handed down his sentence: Christopher Edwards would spend the next 96 months in prison.

Amy chose to speak at sentencing, and afterward she hugged me and thanked me for what we had been able to do.

**To protect the victim's privacy, her name has been changed.

FEBRUARY IS...



We are living in a world where one in three students report experiencing some form of abuse, and more than 2/3 never report that abuse to a caring adult. A world where young people in more than 35 states still lack unfettered access to legal protection or other assistance to end an abusive relationship. A world where over 80% of school counselors report being unprepared to address incidents of abuse. This tells us – dating abuse isn't just a big issue. It's a growing epidemic.

TeenDVmonth, also known as the National Resource Center for Teen Dating Violence Awareness and Prevention Month, is sponsored by [Break the Cycle](#) and [loveisrespect](#) as a collaborative effort to promote February as "teenDVmonth."

Now in its fourth year as a full awareness month, Break the Cycle recently folded their "Let Your Heart Rule" public campaign for teens into the overall teenDVmonth 2104 campaign.

Learn more about Teen DV Month at www.teendvmonth.org.



REVENGE PORN

Current and Emerging Laws

Holly Jacobs was attending graduate school to obtain her PhD in psychology when she became the victim of “revenge porn”. For the second time. After seeing a photograph of Holly with her new boyfriend, Holly’s ex-boyfriend began posting nude photographs of her that he obtained, with her consent, during their 3-year relationship. Two years earlier, he had abused Holly in a similar way, by posting nude photos of her. At that time she’d had to hire a lawyer, at great expense, to get her ex to remove the photographs. This time was different. Holly’s ex posted the photographs on-line and identified her in the pictures. A day after the photos were posted, Holly was summoned to the dean’s office and questioned by human resources. Within three days, her photos were posted on over 200 websites. She was inundated with lewd and graphic emails from strangers.

Holly tried to report to the police and the FBI, but she was turned away. She then attempted to have the photos removed herself. She created “positive” material about herself that would “pop” up prior to the photos on any Google search. She sent hundreds of “takedown” notices according to the Digital Millennium Copyright Act (DCMA), and contacted webmasters all over the world whose job it is to control the material posted on their sites. For a short time the images were taken down and Holly felt like she’d succeeded. Unfortunately, the “success” lasted only a very short time—soon the images were on even more websites.

Ultimately, Holly decided that the only solution she had was to change her name. So, that’s what she did. Holly Jacobs is not “Holly’s” given name. Not only did Holly change her name, she changed jobs, changed or closed all of her email and social media accounts, and was forced to tell her professors and family about what had happened. That was just the beginning of her emotional suffering.

Revenge porn is most often described as the non-consensual posting of a photograph or video of another person who is naked or engaged in a sexual act with the intent of causing emotional distress and, sometimes, harm to a person’s reputation. The photos often include identifying information, including the person’s name, home address, place of employment, and email. Retaliation by an ex-partner is often involved. Other times, victims have their computers or online accounts hacked, as was the case with the 24-year-old daughter of anti-revenge porn activist Charlotte Laws. (See Charlotte’s story here: <http://jezebel.com/one-womans-dangerous-war-against-the-most-hated-man-on-1469240835>).

Hunter Moore, dubbed the “revenge porn king” by Time magazine, was recently arrested and indicted in California on charges related to hacking into victims’ computers and posting their photos and information on his website.

Our society has become driven by the internet and by social media—it is where we “reside.” So, it is not surprising that the problem of “revenge porn” is increasing. The characteristics which make the “world wide web” so popular—accessibility, maneuverability, instant gratification, and often, anonymity, are also what can make it so dangerous. “Revenge Porn” and websites dedicated to this type of abuse take advantage of the internet’s abilities to the detriment and destruction of victims. And, unfortunately, our laws have not caught up with our society’s rapidly changing use of technology; very few states have the appropriate laws to address “revenge porn.”

California, New Jersey and Wisconsin have passed various legislation prohibiting “revenge porn,” while New York, Pennsylvania, Maryland, and Washington are among thirteen other states considering “revenge porn” bans.

California passed its law in 2013. It is now unlawful for any person to take and distribute nude or semi-nude photographs of another where the distribution of the image would cause a reasonable person to suffer serious emotional distress with the intent to cause serious emotional distress, and the other person suffers serious emotional distress. The crime is a misdemeanor, punishable by up to six months in jail. Critics argue that the law does not go far enough in that it only covers photographs taken by the person distributing them, and, notably, does not cover “selfies” —a very popular technique where individuals take photos of themselves and often share those photos with others. (Continued on Page 7)

REVENGE PORN, CONTINUED

Current and Emerging Laws

Pennsylvania's bill would create a new offense called Intimate Partner Harassment. It would ban the online posting of any photo or video identifying another person who is naked or engaging in a sexual act, without that person's consent, and with the intent to harass, annoy, or alarm. At this point, it would exclude juveniles who would fall under that state's "sexting" statutes which were enacted in 2012.

Washington's proposed legislation would prohibit posting of sexually explicit photos or videos if the person posting intends to cause serious emotional distress, and the depicted person suffers emotional distress.

Oregon has no such law. No existing law allows for the prosecution of a person who posts a nude or sexually explicit photograph of another adult, whether obtained consensually or not, with the intent to alarm, annoy, harm or cause distress to the depicted person. Victims whose photographs are posted without their consent have little recourse and what recourse they do have, as illustrated by Holly's story, is expensive, time-consuming, and psychologically damaging.

After suffering for months, Holly Jacobs decided that she was going to turn her horrible experience into something positive. In 2012, she started the non-profit Cyber Civil Rights Initiative (CCRI) (<http://www.cybercivilrights.org/>). According to its website, the non-profit organization engages in advocacy work through the development of individual campaigns meant to target specific cyber harassment issues. Its first campaign is EndRevengePorn.com (<http://www.endrevengeporn.org/>). Holly, working with other anti-revenge porn advocates and internet experts around the country, now campaigns for legislative proposals which would allow for prosecution of perpetrators of this type of abuse.

While the title "revenge porn," might be new, this abusive behavior is not unfamiliar to those working with victims. The question now is how Oregon's laws should most effectively and appropriately respond. **Stay tuned.**

GET TRAINED UP!

February 18th, 10am-12pm : Crime Victims' Rights of Domestic Violence Survivors

This training will provide general information about crime victims' rights and specific information about the rights of domestic violence survivors. **Trainers:**

Meg Garvin, M.A., J.D., is the executive director of the National Crime Victim Law Institute (NCVLI) and a clinical professor of law at Lewis & Clark Law School. Melanie Kebler is a staff attorney for the Oregon Crime Victims Law Center in Portland, Oregon.

Monthly trainings sponsored by the Family Violence Coordinating Council: 3rd Tuesday of each month, Location: SE Health Center, basement conference room, 3653 SE 34th Ave (just south of Powell Blvd.), Portland, OR. Street parking is available.

February 20th, 8:30am - 12pm

Intimate Partner Violence Risk & Danger Assessment Training with Dr. Jacquelyn Campbell

Location: The Ambridge Event Center, 1333 NE MLK Blvd, Portland, OR 97232

[Event details and registration link](#)

April 22nd - April 25th

Child Abuse & Family Violence Summit Location: Red Lion Hotel on the River, 909 N. Hayden Island Drive, Portland, OR 97217

[Child Abuse and Family Violence Summit Website](#)



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Contact me if you have questions or suggestions!

1 BILLION RISING FOR JUSTICE

There are 1 Billion Rising events all around our state. [Here are just some cities holding events:](#)

Bend	Salem
Coos Bay	Tillamook
Eugene/Springfield	Hillsboro
Portland	Klamath Falls

For more information on these events and others, check out the Rising website: <http://www.onebillionrising.org/>

I RISE BECAUSE:
1 IN 3 WOMEN
ON THE PLANET
WILL BE RAPED OR BEATEN
IN HER LIFETIME

2/14/14: 1BILLION RISING FOR JUSTICE

ONE BILLION RISING FOR JUSTICE is a global call to women survivors of violence and those who love them to gather safely in community outside places where they are entitled to justice – courthouses, police stations, government offices, school administration buildings, work places, sites of environmental injustice, military courts, embassies, places of worship, homes, or simply public gathering places where women deserve to feel safe but too often do not.

It is a call to survivors to break the silence and release their sto-

ries – politically, spiritually, outrageously – through art, dance, marches, ritual, song, spoken word, testimonies and whatever way feels right.

The campaign is a recognition that we cannot end violence against women without looking at the intersection of poverty, racism, war, the plunder of the environment, capitalism, imperialism, and patriarchy. Impunity lives at the heart of these interlocking forces.

It is a call to bring on revolutionary justice.

<http://www.onebillionrising.org/>

“Rising,” by South African filmmaker Tony Stroebel (“One Billion Rising,” “The Man Prayer,” “Break The Chain”) is a film featuring global event footage from One Billion Rising 2013. It debuted at this year’s Sundance film festival.

Check it out here:

<http://www.onebillionrising.org/619/risingvideo/>

