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Proponent Testimony Submitted to the Ohio Senate Judiciary Committee  
Sub. Senate Bill 41

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Chair Bacon, Vice Chair Dolan, Ranking Member Thomas and members of the Ohio Senate Judiciary Committee, good afternoon and thank you for this opportunity to testify in support of Sub. S.B. 41. I am here today on behalf of Survivor Advocacy Outreach Program, a rape crisis center serving Athens, Gallia, Hocking, Meigs, Morgan, Perry and Vinton counties in Southeast OH. SAOP advocates are qualified advocates providing confidential support services to survivors and co-survivors of sexual violence, dating/ domestic violence, stalking, and other forms of interpersonal violence. Support services including helpline and in-person advocacy, medical, law enforcement and legal advocacy and accompaniment, transportation, assistance with filing victim of crime compensation claims, and community resource information and connection. In addition to support services, information, and access to resources, SAOP advocates provide trauma survivors with support in navigating healing, finding empowerment following experiences where power has been taken, and learning to successfully navigate exposure to trauma.

As a professional advocate, employed by grant funded, non-profit organizations working with survivors of trauma throughout my fifteen-year career, I find it important to educate about what professional advocates are, why we are needed, and what value we provide our communities. Because Sub. S.B. 41 establishes the classification of “qualified advocates,” I will describe advocacy that meets that definition and use that term throughout this testimony. As contemplated and described by Sub. S.B. 41, qualified advocates are individuals specifically trained in understanding of trauma, trauma exposure and trauma response. They are employed by agencies entrusted with regulated funding from state and local governments, ensuring best practices and quality services. Qualified advocates are trained with a multidisciplinary education that includes not only comprehensive learning on advocacy principles, but also includes exposure to relevant topics within law enforcement, civil and criminal legal systems, hospital and medical center access processes, and mental health best practices. Education on these topics bridges the intersections in our systems that survivors of crime must navigate following trauma exposure.

Qualified advocates are trained with skills to work from a multidisciplinary approach. This multidisciplinary approach ensures that community partners, including law enforcement, medical professionals, and legal professionals, have support in victim-centered, trauma-informed education and practices. In addition, this approach allows us to best advocate for survivor’s numerous needs, within the these systems. Finally, qualified advocates are trained to provide support services from an empathic, non-judgmental, supportive and empowerment-based approach. Often, survivors have no other support system they can access. Most of the time, they have little knowledge of the systems they suddenly and without preparation find themselves having to navigate. Qualified advocates are often the

first person a survivor finds trust in to disclose their experience of trauma for needed support. Importantly, qualified advocates are the **only** professionals trained with the central goal of providing supporting to survivors; while ensuring the rights of survivors are observed while they navigate our systems.

With professional experience advocating for survivors in Maine and North Carolina, two of the 36 states observing advocate privilege, I can attest to the necessity for advocate privilege as a practice standard in our state. As a professional advocate in Ohio, I have witnessed the civil and criminal justice systems utilized as a tool of abuse for domestic violence perpetration. For example, I have seen defense attorneys in both civil and criminal litigation tactically and purposefully strip survivors of their advocates (their support professional) by subpoenaing the advocates as witnesses, thereby excluding them from the court room and disrupting the advocate's ability to provide accompaniment. I have witnessed subpoenaed information used to validate unregulated memories and words of traumatized survivors- used to defame, confuse, and deny survivor's credibility.

In order to fully understand the need for privileged communications during a survivor's recovery process, it is critical to understand the impact of trauma on the brain. Unfortunately, our society has a limited universal understanding of the holistic effects of trauma. For example, the predominate research on the neurobiology of trauma provides that survivors experience "fight, flight, freeze and collapse"<sup>1</sup> and Hippocampus Volume Reduction resulting in fragmented memories and errors in encoding, regulating, and linear recall of memories.<sup>2</sup> Access to a qualified advocate ensures survivors have the opportunity to access support and education regarding these unthinking responses to trauma, which not only allows survivors a better understanding of trauma, but better prepares our response systems to provide trauma-informed services and allows for education within communities to address the culture, myths, and attitudes that foster and reinforce violence. Ultimately, survivors experience and display significant and widely understood trauma responses and privileged communications with qualified advocates give survivors a safe space to seek assistance and support while experiencing these symptoms.

Privileged communication between qualified advocates and survivors ensures victims of crime the right to access support that can provide accurate information based on the honest needs of that survivor. The ability of professional advocates to do their job is endangered when survivors are unable to ensure conversations with their advocate are truly confidential. National best practices show that with the support of a professional advocate, survivors are more likely to successfully navigate the criminal justice process. Providing victims of crime access to qualified advocates with privileged communication better prepares that survivor to engage with a criminal justice system.

As a professional advocate, I support Sub S.B. 41 because I believe that victims of crime deserve the right to be respected, deserve the right be informed, deserve the right to make

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<sup>1</sup> See, e.g. Harvard Medical School, *Understanding the Stress Response: Chronic Activation of this Survival Mechanism Impairs Health*, Harvard Health Publishing (March 18, 2016), <https://www.health.harvard.edu/staying-healthy/understanding-the-stress-response>; Rand Swenson, *Review of Functional Neuroscience* (Chapter 9, Limbic System), Dartmouth Medical School (2006), [http://www.dartmouth.edu/~rswenson/NeuroSci/chapter\\_9.html](http://www.dartmouth.edu/~rswenson/NeuroSci/chapter_9.html); Bessel van der Kolk, *The Body Keeps Score: Brain, Mind, and Body in the Healing of Trauma*, Viking Books (2015).

<sup>2</sup> See, e.g., J.D. Bremner, et al., *MRI-based measurement of hippocampal volume in posttraumatic stress disorder related to childhood physical and sexual abuse: A preliminary report*. *Biol Psychiatry* 41:23-32 (1997); M.B. Stein, et al., *Hippocampal volume in women victimized by childhood sexual abuse*. *Psychol Medicine* 27:951-959 (1997).

their own decisions, and deserve the right to receive the unwavering support of a qualified advocate. As the Executive Director of the Survivor Advocacy Outreach Program, I support Sub S.B. 41 because I proudly receive grant funding from the Victims of Crime Act (VOCA) stream and the Ohio Rape Crisis Fund, and I proudly employ qualified advocates trained to recognize and understanding trauma, while responding to the needs of and supporting survivors. I support Sub S.B. 41 because I believe it enhances healing and justice for trauma survivors.

In 2013, Southeast Ohio gained a resource in Survivor Advocacy Outreach Program. Southeast Ohio gained a voice in the fight against interpersonal violence. Along with the expansion of advocacy service, we have witnessed an equal and rapid expansion of education regarding trauma and an increase in trauma disclosure over our near six year history. As our resource expands, so too does the need. Sub. S.B. 41 is an excellent piece of legislation that will help aid programs across the state in meeting the increasing demand created by the growing number of informed survivors.

Thank you for considering with open hearts and minds the impact that your voice and support of Sub S.B. 41 may have on the lives of so many of your fellow Ohioans. Everyday I have the opportunity to witness what access to advocacy support can afford in a person's life and I hope that I have helped you to understand the role professional advocates hold within your community. Thank you for the opportunity to testify regarding Sub. S.B. 41. I appreciate your time and consideration. I am happy to answer any questions you may have today, and can also be reached for questions at [SAOPseoh@gmail.com](mailto:SAOPseoh@gmail.com) or (740) 591-4266.