



barcc

Boston Area Rape Crisis Center



Suffolk County District Attorney Voter Guide

Candidates on Issues related to
Sexual Violence

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Introduction

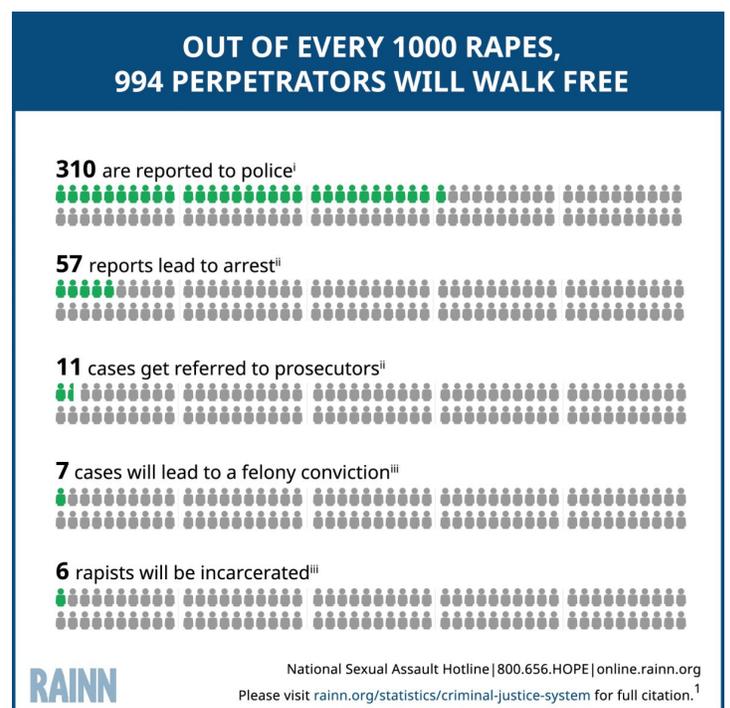
BARCC provides free, confidential support and services to survivors of sexual violence ages 12 and up, their loved ones, and professionals. We work with survivors of all genders from the immediate crisis to years and decades later. In our mission to end sexual violence, one of our goals is to empower survivors to heal and seek justice in ways that are meaningful to them. Many of the survivors we work with interact with the criminal legal system, and we recognize that the work provided by the District Attorney's Office can be critical. As part of our legislative and policy advocacy work, we want you to know where candidates running for election stand on one of the issues we know is important to you: supporting survivors.

We asked current district attorney candidates in Suffolk County to complete a questionnaire specific to this issue so that it may inform your voting decisions in the fall 2018 primary and general elections. As a 501(c)(3) nonprofit organization, BARCC is nonpartisan and is not endorsing any candidates. Read on for some background as well as the candidates' answers to our questions.

If you have any questions, contact Katia Santiago-Taylor, BARCC advocacy and legislative affairs manager, at 617-649-1257 or ksantiagotaylor@barcc.org.

Sexual violence, the criminal justice system, and support

The Massachusetts criminal justice system—in particular the prosecution of sexual assaults—includes a wide range of activities, from the investigation of an assault by law enforcement and the district attorney's office to determining whether there is sufficient evidence to charge or prosecute an offender. BARCC works with survivors at any point in their healing process, and often that includes supporting survivors as they are exploring whether or not they want to report to the police.



Engaging with the criminal legal system can be long and overwhelming for many survivors. And national statistics show that out of every 1,000 rapes 994 perpetrators will walk free. At BARCC, we work with many survivors who ultimately choose not to report to the police and also work with many survivors who do choose to make a report and have their case investigated and reviewed by the District Attorney's Office for possible prosecution.

Our [Legal Advocacy program](#) helps survivors understand their legal rights and options in the aftermath of sexual assault, sexual harassment, and other forms of sexual violence. We assist survivors as they navigate the civil and criminal justice systems, including campus processes. Our lawyers and advocates also assist with ongoing harassment or stalking. They advocate for survivors' privacy and safety in every aspect of their life. If survivors need legal representation, we connect them with an appropriate legal resource.

Our advocates can offer information, support, and advocacy related the following:

- Protecting your privacy
- Options for safety
- Reporting to the police
- The criminal justice system
- Pursuing a case in civil court
- Your school's policies
- Your employer's policies
- Your rights as an immigrant

What a Difference a DA Makes, a project from ACLU Massachusetts



Why are we focusing on district attorney candidates in this upcoming election? The ACLU Massachusetts says it well: "District attorneys are the most powerful people in the criminal justice system. They decide who gets charged with a crime – and determine how most criminal cases are resolved. This means these elected officials have tremendous impact on people's lives and our communities. It's time to use our voices – and our vote – to make our criminal legal system fairer for everyone." What a Difference a DA Makes is the ACLU's public education campaign to

shine a light on the role of the district attorney and empower people to make informed decisions in these vital elections. Learn more about the project at dadifference.org.

Important Massachusetts election dates

State Primary: Tuesday, September 4, 2018

General Election Voter Registration Deadline: Wednesday, October 17, 2018

General Election: Tuesday, November 6, 2018

For more information and where to vote, please visit wheredoivotema.com.

Meet the Suffolk County DA candidates

The following introductions to each candidate were drawn from their websites.



[Evandro C. Carvalho](#)

Carvalho has served as an assistant district attorney prosecuting gun crimes, and since 2014 as a state representative for Dorchester and Roxbury. More at evandrocarvalho.com.



[Linda Champion](#)

Champion has served as assistant general counsel for the Division of Industrial Accidents and as an assistant district attorney, prosecuting a variety of cases. More at championforda.com.



[Greg Henning](#)

Henning has served as an assistant district attorney, prosecuting a variety of cases ranging from low-level misdemeanors to murders. More at greghenning.com.



[Shannon McAuliffe](#)

McAuliffe practiced law as a defense attorney and was the director of Roca, a nonprofit with a mission of disrupting the cycle of incarceration and poverty. More at mcauliffeforda.com.



[Michael Maloney](#)¹

Maloney built and runs a business and law firm in Boston and Brockton, and is licensed to practice law in four states. More at dasuffolkcounty.com.



[Rachael Rollins](#)

Rollins has served as an attorney in many settings, including for the National Labor Relations Board, for several state agencies, and as an assistant United States attorney. More at rollins4da.com.

BARCC's DA questionnaire and candidate responses

Sexual assault

Non-stranger sexual assault prosecution rates are extremely low. Prosecutors often explain their inability to prosecute as a lack of evidence, characterizing them as a “he said/she said.” In other jurisdictions across the country, prosecutors and law enforcement have undertaken training and protocols that have resulted in them being able to obtain sufficient evidence and successfully prosecute.

Will you make it a priority to ensure that police and prosecutors receive ongoing training on how to interview trauma survivors in a way that does not re-traumatize them? And will you also ensure that they are trained to understand that trauma survivors sometimes act in ways that do not make logical sense (such as interpreting a lack of emotion or depressed affect, which is common among sexual assault survivors, as evidence of “lying.”)

¹ Running as Independent. He will be on the November 6 ballot.

Evandro Carvalho:

Yes, I will provide training to the prosecutors on trauma related and sexual assault survivor cases. I am committed to educating my staff and empowering survivors with a voice in their case. As a State Representative I have been an advocate for survivors of sexual assault and a leader in the annual White Ribbon Campaign and the White Ribbon Day on Beacon Hill that works to end male violence against women and girls. I also was a trainer for the Mens Violence Prevention (MVP) on at Umass Amherst. We educated and trained young men on ways to prevent male violence and sexual assault against women. As the District Attorney I will continue to educate and train on these important issues and I will work with organizations like yours that can be a resource for intensive training and community assistance.

Linda Champion:

Yes, I have been very open with the community about the effect domestic violence has had on my life. I have also been very open with what happened to my sister when she was 13. She was molested and gave birth to a beautiful baby girl. Watching what my sister and mother endured has shaped my views and I lived through those experiences with them. It was very difficult to experience as my sister's cries for help were not answered because my mother didn't speak English and no one came to her aid.

Greg Henning:

Yes. It is the responsibility of the District Attorney and his/her staff to analyze each matter before them on a case-by-case basis. Just as each case presents its own unique circumstances, so too does each victim and survivor. The effect of trauma varies dramatically from individual to individual. As DA, I will never judge a survivor by their emotional expression or the manner in which their trauma presents itself. Ongoing training of assistant district attorneys, victim witness advocates, and members of law enforcement is necessary to ensure that those working with survivors understand their needs. I commit to developing and encouraging collaborative training, guided by social workers, community leaders, and mental health professionals so that trauma-informed and trauma-centered practices (from interviewing to service providing) are put in place at every step of a survivor's interaction with the District Attorney's office.

Shannon McAuliffe:

I am a strong advocate for state-of-the-art, evidenced-based ongoing training to create a trauma-informed environment during baseline and subsequent interviews with tools

developed to support trauma-informed data collection. Traumatized survivors must feel calm, safe and focused to give the best and most accurate information.

And just like with anti-bias training, trauma informed training should not be a “one and done” occurrence. In addition to basic training, refresher courses, and role playing, I am committed to hiring clinicians specializing in trauma to provide supervision and guidance to ADA’s during and after the investigation, grand jury testimony and trial. As part of the training, they will be taught that victim responses to trauma are as individual and varied as survivors themselves.

Michael Maloney:

Yes, Yes

Rachael Rollins:

Yes. ADAs, victim witness advocates, and other staff will receive ongoing, culturally competent, LGBTQ+ inclusive, trauma-informed, and victim-centered training in interview techniques that results, in the least, in not re-traumatizing survivors and, if possible, aid in the healing process. This training will be fact-based and inclusive of the varied responses of sexual assault survivors—including a lack of emotion or depressed affect.

As District Attorney, I will not have the authority to ensure that the police go through similar training. However, I will have relationships with the leadership of the police departments of Boston, Chelsea, Revere, and Winthrop; my job as the DA is contingent on them doing their jobs well. I will work to share best practices with their offices, encourage them to have such trainings, and hold them accountable when their training and protocols don’t reflect best practice for survivors.

This is a very sensitive area and I want victims to seek justice to the full extent of the law. It is important that victims and witnesses feel empowered, supported, and are not re-traumatized during the process of seeking justice. In addition to training, I will also strive to hire victim witness advocates who are survivors of trauma themselves and ensure they are working hand-in-hand with ADAs to prosecute sexual assault cases.

It is equally important to develop an advisory committee to help guide policy in this area—not just for the sake of having another advisory committee. In Philadelphia, Larry Krasner has developed a program called the Crime Victims’ Advisory Committee. The twenty individuals on this advisory committee have personally experienced trauma that informs their lives and activism. Together, they make recommendations to the Office’s

Victim and Witness Services Unit about empowering witnesses, supporting the victims of crime, and eliminating the trauma felt by crime victims and witnesses. A similar advisory committee in Suffolk County will not only ensure that prosecutors are using a trauma-informed process but also that our criminal justice system aids victims and survivors in their healing process.

Do you believe that investigations and prosecutions of sexual assault cases could be improved? If so, how?

Evandro Carvalho:

Yes, as a current State Representative, I am proud of the recent work the Legislature did to address the serious back logs of untested rape kits in Massachusetts by requiring hospitals to immediately send kits to the police, and requiring police departments to immediately forward the kits to the crime labs. In addition, the legislation created a tracking system that will allow victims to anonymously track their kit from the hospital, to the police to the crime lab. As a supporter of the bill and the next District Attorney, I believe this will improve investigations of sexual assault because the physical evidence that are highly valuable in these cases will be a priority and tracked throughout the system to ensure we there is no longer a back log in these serious cases.

Linda Champion:

Yes, to ease the trauma and stress for victims we need to have more dedicated detectives assigned to the sexual assault unit. We need to centralize the database for rape kits so we can quickly access the information and also see if patterns exist. We also need to do more to keep the public informed when sex offenders released. We also need more bilingual detectives and we need to process information we receive as quickly as possible. The delays create too much anxiety and often those who are poor and don't have access to therapy are left alone in their trauma. Lastly, we need the DAs office to retain victim witness advocates who are professionally trained social workers or therapists.

Greg Henning:

Yes. I believe there is always room for improvement.

It is the District Attorney's foremost responsibility to ensure public safety. Inextricably linked with this is giving a voice to those who have suffered harm in our community. Sexual assault and intimate partner violence survivors have lived through trauma that is

destructive emotionally, spiritually, and often, physically. Joining with survivors to assist in their healing by providing the support system that is most beneficial to them is vital. This requires listening to the survivors who come forward to share their history and using that to inform the decisions we need to make in the courtroom.

I believe that a prosecutor's responsibilities are just as important outside of the courtroom as they are inside. Unfortunately, there are many cases whose evidence does not allow a prosecutor to move forward with criminal charges because of rules in the law. In situations such as these, it is imperative to not abandon survivors but instead move beyond the courtroom and work closely with agencies such as Rosie's Place, Casa Myrna, Bridge Over Troubled Waters (to name only a few) to ensure that survivor's support system is strengthened.

Shannon McAuliffe:

Yes, certain categories of sexual assault have proven harder to prosecute: non-stranger sexual assault, campus/college incidents; intimate partners, sex workers, victims with disabilities and sexual assaults involving voluntary alcohol and/or drug use. We must improve our ability and resolve to prosecute such cases by learning how to better challenge the consent defense. We must also dispel the myth that those engaged in higher learning do not assault to ensure all victims receive the same treatment, attention and work. And with regard to victims with disabilities, we must continue to teach prosecutors to see the person instead of only the disability.

Additionally, I am committed to working with survivors and addressing the rape kit backlog that keeps survivors from getting justice.

Michael Maloney:

Yes. Expeditiously collecting DNA evidence before it is destroyed. Mandate sensitivity training for the DA office to ensure compassion for victims.

Rachael Rollins:

Yes. I believe that investigations and prosecutions can always be improved through best-practice research and implementation, through the understanding of data (both quantitative and qualitative), by listening to survivors, and by engaging with groups such as BARCC that advocate for survivors.

One very tangible way that I anticipate improving investigations and prosecutions of sexual assault cases will be to have a Higher Education Liaison who will work in partnership with the universities within Suffolk County to build awareness among students of their rights to seek justice through the criminal justice process in addition to, or instead of working through college processes. Title IX investigations are important, but unfortunately use an administrative process that is not public. I want victims to know that they can come directly to the Suffolk County District Attorney's Office (SCDAO) and that I will investigate their allegations.

Will you train and utilize expert witnesses to educate jurors about survivors' responses to non-stranger sexual assault, which are often misinterpreted, and will you conduct focused voir dieres of potential jurors to screen out those who believe false myths about sexual assault?

Evandro Carvalho:

Yes, I believe educating the jury about survivor response and sexual assault/victim behavioral stereotypes from the beginning of a trial is the best way to ensure a fair trial and procedural justice.

Linda Champion:

Yes, where needed we will use expert witnesses. I am committed to making sure we select a fair and impartial jury. We also need to make sure we are working with professionals in this area so we can identify appropriate questions to ask during the selection process and train prosecutors on how to detect implicit bias.

Greg Henning:

Across the country there is a plethora of professionally trained medical, academic, and community leaders in this field. Given Boston's position as a major metropolitan city known for its academic institutions and world-class hospitals, the District Attorney's office needs to establish a portfolio of these professionals who can be called upon to testify before jurors but also to provide training to its staff. When assistant district attorneys receive first-rate training from these experts, they will have the tools to craft the precise voir dire questions to ensure they are selecting a jury free from unfounded and dangerous beliefs about sexual assault and domestic violence.

Shannon McAuliffe:

Yes. Expert testimony must be used to dispel the myth that all survivors must act a certain way that “shows” their victimization. Instead responses are unique to each individual and may well be counterintuitive.

Michael Maloney:

Yes.

Rachael Rollins:

Yes, I will train and utilize expert witnesses to educate jurors about survivors’ “counterintuitive” behavior to non-stranger sexual assault cases to the extent that an expert witness can explain this behavior better than the survivor her/himself. Well-trained expert witnesses can shed light on predominant misconceptions around rape culture and emphasize that responses to non-stranger sexual assault are individualized. However, prosecutors should be trained to use the appropriate type of expert witness depending on the type of non-stranger sexual assault and should have a heightened awareness about biases that expert witnesses themselves may have. My ADAs will receive training on ways to use expert witnesses appropriately in these circumstances. I am committed to building a bench of properly trained expert witnesses. I am also committed to empowering victims/survivors so they can explain their behavior themselves if they so choose.

Voir Dire is one method of screening out jurors who believe false myths about sexual assault. However, it is important to emphasize that eliminating jurors is only one solution to a systemic problem. First, jurors failing to understand individualized responses to non-stranger sexual assault is deeply pervasive within our culture so it will be quite near impossible to empanel a jury that fully understands the complexity of this issue. Moreover, judicial bias is also an issue in this area. I am committed to using voir dire to ensure my ADAs empanel the most open-minded jury possible. I am also committed to working to make sure that Judges receive training to dispel any false myths they may have around sexual assault.

When closing a case without prosecution, will you commit for the ADA to inform to the survivor why it is not going forward?

Evandro Carvalho:

Yes. Informing the victims about their case and when it was closed without prosecution was a major gap in the old criminal justice system and the old District Attorney’s office. As

the State Representative, I saw this lack of coordination as a major problem in our criminal justice system and I am proud to have supported the victim's rights mandate in the new criminal justice reform law that just passed in April. The victim's rights mandate requires victims to be informed throughout the process and given the right and opportunity to speak with a victim advocate and other resources to assist them in the prosecution and afterward. District Attorneys will be required to notify the survivors that their case will be closed. The ADAs in my staff will be trained on survivor notification and required to explain the reasons why a case may not be able to be pursued further. The job of the DA and ADAs in a community is to be a voice for victims and we have to treat them with respect, dignity, and sensitivity. In addition, the ADAs and victim advocates in my office will provide victim support service information from the community, such as shelter information, survivor group information, and self-help assistance for divorce, child support, ways to move/leave.

Linda Champion:

Yes, and I am also committed to giving the victim ongoing access to the office and the advocate assigned. My sister who is a survivor of sexual assault didn't become a survivor overnight. The process was slow and we need to make sure people feel safe and supported. We need to make sure we are helping victims make the transition from victim to survivor.

Greg Henning:

Yes. As mentioned in my answer to question two, above, the District Attorney and his/her staff must go beyond the courtroom to ensure that survivors have a solid system of support during the long road to healing. If elected, I would require, to the extent that it is possible, that the assigned ADA and VWA hold an in-person meeting with the survivor to explain why a case is not being criminally charged, and to offer services going forward.

Shannon McAuliffe:

Yes, I believe transparency is incredibly effective in building trust whether the information shared is favorable or not. Survivors deserve clear, straightforward talk at all times.

Michael Maloney:

Yes.

Rachael Rollins:

Yes.

What impact, if any, have you observed on the criminal justice system from the #MeToo movement?

Evandro Carvalho:

I believe this movement has created an environment in our society that encourages victims and survivors to come forward; that their voices matter. I hope the movement continues to shed light on issues of violence against women, particularly sexual assault, harassment, and even domestic violence.

Linda Champion:

I have not see any material changes, although a positive result is a broader awareness of harassment. But sexual assault crimes are and always have been a top priority. These crimes are very serious, even if the victim is engaged in prostitution. No one has the right to touch another person without consent under any circumstance.

Greg Henning:

The #MeToo movement has freed people from a sense of isolation and shame. Recently, male survivors have come forward from a variety of backgrounds to talk publicly about sexual violation - something uncommon before the movement's inception. Sexual assault is a tool of power, degradation, and control. Perpetrators rely on the fear and embarrassment felt by their victims to prevent being held accountable. It happens everywhere and harms everyone.

Now, in the era of the #Me Too movement, survivors not only can stand beside one another to have their voices heard, but the community at large can be exposed to the reality of the nature of these crimes. The misinformation and bias about these cases that have long afflicted the general public (from which jurors are selected each day in criminal and civil cases across the nation) is now being replaced with education and truth. An enlightened jury is one that has the benefit of evaluating the evidence before it fairly and justly.

Shannon McAuliffe:

The #MeToo movement has shed light on decades of injustice faced by survivors of sexual assault and harassment. For too long we have allowed serial abusers to use their positions of authority to silence those they have hurt. The #MeToo movement has demonstrated that we, as a nation will no longer accept this outcome. No one deserves to have to choose between their career and justice. I believe the #MeToo movement has also expanded our understanding that abuse is abuse whether it's opposite sex or same sex as we have seen in the current State House charges.

Michael Maloney:

Not enough.

Rachael Rollins:

The #MeToo movement has empowered survivors/victims to speak out about their trauma and use the legal system to pursue justice. People—jurors, judges, etc.—are now more open to believing victims'/survivors' stories. However, even within this framework, race, disability, documentation status, class, sexual orientation and/or gender identity continue to play a factor. Women of color, women who are disabled, those who lack documentation, those who are poor and/or in low-wage jobs, transwomen, and LBGTQI+ womens' stories are questioned more often. The #MeToo movement, although started by a Black woman, has largely ignored the complexity and intersectionality of underrepresented women's social identities and how they should be amplified in a larger movement to reform the criminal justice system. Locally and nationally, male victims (especially gay, queer, and transmen) have also been silenced. The #MeToo movement has raised awareness—we must now broaden the movement and take action to prevent sexual harassment and assault while supporting survivors through trauma-informed systems.

What are your thoughts on procedural justice? Would you incorporate a commitment to procedural justice into your response to survivors? How would you act on that commitment?

Evandro Carvalho:

I believe one of the key jobs of the district attorney/prosecutor is to be a voice for victims. That voice starts at the beginning of the process, from police investigation through trial and afterward as the victim begins to heal. Being the voice for a victim is especially important when dealing with sexual assault victims because we do not want them to feel re-victimized when dealing with police, prosecutors, and the courts. I commit to training

my staff, including prosecutors, victims advocates, and investigators in evidence-based methods of how to interview victims, how to treat them, and how to understand their experiences, including providing a direct line of communication between the victim and the prosecutor. I will commit to working with our police departments and commissioners to ensure they increase training for officers and detectives who are often the first contact with victims.

Linda Champion:

Yes, procedural justice focuses on improving the process through every step of the criminal-justice system. While I can't control the overall system what I can control is having victim witnesses advocates who are licensed and trained social workers who will help prosecutors to make sure the information received from law enforcement captures what happened accurately. We also can make sure victims have the opportunity to be heard and with the help of strong advocates, we can give them a voice in the courtroom. We can make sure all staff complete a mandatory implicit bias training, we can develop an online system so victims can get information or add information in real time and we can make sure victims have direct access to their advocate and prosecutor to ensure they have their individual needs addressed.

Greg Henning:

The District Attorney is the only individual in a courtroom who is sworn to protect the community. As such, the DA's office needs to listen to and respect what is best for a survivor's needs in their journey to healing and safety. The outcome of a case must strike a balance between the requirements of the law, the concern for the community moving forward, and any affected party's wishes. Throughout my career, I have listened to input from victims, witnesses, defendants, attorneys, community partners, and more to develop creative resolutions to a wide variety of cases.

Regardless of whether or not it is possible to comply entirely with a survivor's recommendation regarding the resolution of a case, if elected, my staff will ensure that all survivors are treated with dignity and respect by all in the court system and that survivors understand the decision-making to be unbiased and trustworthy, grounded in a genuine interest in them, their needs and their personal situation.

Shannon McAuliffe:

I believe in treating survivors with dignity, giving survivors a “voice,” and being neutral in decision making. Procedural justice is an important way to improve trust with victims and communities.

Michael Maloney:

Procedural justice is the idea of fairness in processes that resolve disputes and allocation resources. I am a strong proponent.

Rachael Rollins:

I support the concept of procedural justice and would incorporate it into my policies. All people who interact with the criminal justice system—regardless of race, gender, socioeconomic background, and immigration status—should be treated with dignity and respect by neutral factfinders who apply the tenants of the law fairly and justly. As the DA, I will set policy and create a culture that ensures people who interact with the SCDAO will be treated fairly, listened to and heard, the process will be transparent, and our decisions will be impartial. I will incorporate a commitment to justice in our response to survivors. One way I will act on this is by committing to eliminating the “justice gap” for survivors of sexual assault. I intend to start clearing the backlog of rape kits to ensure survivors can get their day in court.

Immigration

Sexual assault survivors who do not have legal immigration status are frequently threatened and coerced by offenders because of the vulnerability of their legal status. They are often afraid to report sexual assault.

How will you develop pathways to enhance access to law enforcement and prosecution for survivors without legal status?

Evandro Carvalho:

As an immigrant who lives in Dorchester among a large immigrant population, I have seen this issue time and time again. Victims, including victims of sexual violence, do not report the crime because of barriers like language, cultural norms, and fear of deportation. Yesterday, in Chelsea, I announced my plan to help law enforcement agencies become an ally of the immigrant communities, which includes the DAs office hiring Immigration Advocates to help victims of crime. The Immigration advocates, in addition to being a vital resource that will help rebuild trust in the DA office and the criminal justice system, will

be particularly important for cases involving sexual violence and domestic violence. The advocates will be trained to assist victims beyond their cases, including informing them about U- Visa and helping fill out immigration related forms.

Linda Champion:

Yes. I am the daughter of an immigrant who came to this country without speaking the language. My father suffered from PTSD from the Vietnam War and after he returned home from the war was a changed man. Trauma and violence change you as a person. My father acted out with rage and that rage was taken out on my family. The legal status of an individual has nothing to do with our duty to protect everyone from harm. As DA, I would make sure that victims and witnesses with immigration issues who come forward are protected and supported, just like every other victim or witness. We can not punish people who find the courage to participate in our justice system.

Greg Henning:

In my work as an assistant district attorney, I have seen the fear of deportation and the chilling effect it has on those who would otherwise wish to cooperate with criminal investigations. This fear makes the community and its survivors less safe. A victim is a victim no matter where they are from or the status of their residency. If elected District Attorney, I will work with and provide services for any individual regardless of their immigration status.

Shannon McAuliffe:

When we create a legal system where every community member, regardless of their immigration status feels safe interacting with law enforcement, reporting crimes, and advocating for themselves, we make everyone safer. I believe that those closest to the “problem” are closest to the solution. For this reason I am committed to working with local immigration advocacy groups such as MIRA, sexual assault resource centers such as BARCC, Planned Parenthood and Jane Doe, as well community members in order develop a solution that is based on the lived experience of undocumented individuals seeking justice.

Michael Maloney:

All survivors regardless of immigration status will receive the same treatment from the department.

Rachael Rollins:

Our communities are safer when our immigrant neighbors can trust the criminal justice system. A prerequisite to serving survivors without legal status is building community trust through authentic engagement with the diverse communities of Suffolk County. I will do that through intentional, organizational partnerships with nonprofit and advocacy organizations, community leaders, and neighborhood associations. I will also work to diversify the SCDAO through proactive hiring of people who reflect the diversity of Suffolk County. In addition, I will implement policies that help all of our undocumented friends and neighbors:

- Every ADA will be instructed to call me directly if they see ICE or any federal agent detaining or arresting someone in or near a Suffolk County Courthouse; I will personally go to the federal courthouse and speak to the US Attorney about having that Suffolk County resident returned to Suffolk County. If I need to file an injunction, I will.
- We will work urgently to end ICE access to our databases.
- Within my first 30 days, I will implement a door-to-door security plan utilizing victim witness advocates and civil rights and defense attorneys to escort undocumented parties to and from the courthouse safely. The plan will be kept confidential for important security reasons, but we will share with the public as much of the plan as possible without jeopardizing the safety and security of the parties the plan is intended to protect.

Will you commit to provide certifications for survivors who need it to attain U and T visas in all cases where survivors report to police and meet the standards for helpfulness to law enforcement?

Evandro Carvalho:

Absolutely. As stated in my previous answer, the Immigration advocates will be a vital resource to provide information on U-Visa status and assist with filling out the forms.

Linda Champion:

I was the first candidate to say this is required and necessary and only one other candidate has even spoken about this issue. It is necessary and victims should not have to ask us for this. This should be completed immediately for them.

Greg Henning:

Yes.

Shannon McAuliffe:

Yes.

Michael Maloney:

Yes.

Rachael Rollins:

Yes.

Cyber issues and privacy

Massachusetts is currently one of ten states that does not have legislation that addresses nonconsensual posting of sexually explicit images (more commonly referred to as “revenge porn.”) Do you see this as a problem and, if so, what will you do about it?

Evandro Carvalho:

Yes, I believe this is major problem in the current social media/snapchat era. As a current law maker, I have a strong record of getting things done and strong relationships on Beacon Hill; I will work with my colleagues there, victims/survivors, and advocacy organizations like yours to push for legislation to change the laws. I will do everything I can do ensure these crimes are thoroughly investigated and prosecuted.

Linda Champion:

This is a form of bullying and abuse. We have to affirm in the eyes of the law just how damaging emotional abuse is and understand that it is just as dangerous as physical violence. We have to continue to lobby to have this recognized and make sure the laws truly protect victims and hold these abusers accountable.

Greg Henning:

This is problematic and indicative of laws that have yet to catch up to the constantly evolving technological world in which we live. Leading up to 2014, the issue of “upskirting” (the practice of photographing an unsuspecting person underneath their clothing) came to

light as the relevant case law for the 2010 prosecution of a man committing this act on an MBTA train did not explicitly cover this type of behavior because the victim was wearing clothing. In response, the current District Attorney urged the legislature to reconsider the language in the statute and revise the law. If elected, I would work with community partners, law enforcement, and the legislature, so that “revenge porn” can be treated appropriately - as a crime.

Shannon McAuliffe:

Yes, this is a problem. No one deserves to be exploited online. I would work with legislature to make this illegal.

Michael Maloney:

I will advocate for legislation making such behavior illegal. I would direct the department to look for ways to bring justice to the victim until legislation is realized.

Rachael Rollins:

Yes, this is a problem. In Massachusetts, nonconsensual posting of sexually explicit images has been used as a tool for extortion and domestic violence. Existing Massachusetts laws do not do enough to address the harmful effects of revenge porn on the intended victim, even when the victim may have given consent at one point in time. While both men and women are affected by revenge porn, women are disproportionately impacted. If elected DA, I will work with leaders in Beacon Hill to ensure that current legislation around revenge porn is passed. The Baker Administration has filed a bill to criminalize revenge porn which includes policy to ensure justice for victims while also taking into consideration the age of youthful offenders. Revenge porn is a problem and when I become DA, I will use my position to ensure the Massachusetts Legislature passes the revenge porn law. Violation will be prosecuted.

Prison Rape Elimination Act (PREA)

PREA requires all prisons and jails to have a zero-tolerance policy for sexual violence.

How do you intend to address reports of sexual assault in correctional facilities, including reports against staff?

Evandro Carvalho:

My office will thoroughly investigate all sexual assault in Suffolk county facilities. The location, job, status, or criminal history will not influence a decision to prosecute.

Linda Champion:

They will be processed in the same manner as any rape case. A person in jail has the right to be safe from sexual violence and we will prosecute those cases.

Greg Henning:

The victims' bill of rights requires that victims of all crimes be serviced by the District Attorney's Office. A victim who happens to be incarcerated is no less a victim than an individual out on the street. As discussed above, sexual violence is a crime of power and control exercised by the perpetrator over his or her victim. A staff member employed by a correctional facility inherently wields an incredible amount of power over those who have been entrusted in his or her care.

As such, staff issues are critical - there are no wholly consensual relationships in these settings when a correctional officer or other staffer has control over a detainee's life in some way. Detainees cannot give consent because they do not have the autonomy to do so. Thinking about this element of sexual violence is critical. It is exploitive, systemically violent and coercive even if it is conduct that would ordinarily be considered 'consensual' outside of an incarceration setting. As District Attorney, I would ensure that this facet of sexual violence be fully explored with regular training for those attorneys and staff members who would handle these cases.

Shannon McAuliffe:

All survivors of sexual assault deserve to have their voices heard, their cases taken seriously, and their perpetrators held accountable. I will support survivors wherever they are and work with them to get justice. And staff that misuse their positions to hurt incarcerated people will be prosecuted and punished.

Michael Maloney:

I will work with the sheriff to investigate and prosecute any allegation.

Rachael Rollins:

Although the HOC and DOC are required to have a zero-tolerance policy for sexual violence, I know this policy is not being enforced adequately throughout the jails and prisons in the Commonwealth. My transition team will include advocates, employees from the HOC and DOC with positional power, and people who are or were incarcerated. I am proud to say that I have endorsements from 5 organizations comprised of men serving time at MCI-Shirley and MCI-Norfolk. I anticipate making and advocating for reforms including 1) providing appropriate awareness of the PREA in multiple languages and for those with low reading literacy levels; 2) advocating for adequate training for those in the HOC and DOC including medical and mental-health practitioners; 3) ensuring that training and awareness is inclusive of issues faced by LGBTQ+ individuals and others most vulnerable including those with disabilities, young prisoners, those with convictions for sexual offenses, and the prisoner's own perception of their vulnerability; 4) advocating for appropriate funding for PREA related education and training; and 5) advocating for audits to be conducted by non-profit entities without staff with close-ties to the prison industry.

Sexual assault evidence collection kits

What policies will you put in place to ensure that survivors are kept informed of the status of any evidence, including toxicology reports, collected from them after an assault?

Evandro Carvalho:

Victims and survivors of sexual assault have the right to be informed of all aspects of their case, including all major status changes of their cases. Staff, both ADAs and Victim Witness Advocates, will be required to stay in touch with victims, at a minimum on a monthly basis via mail or telephone to inform them of the status of their cases.

Linda Champion:

We need an online system like hospitals and health care so victims can login and review everything in their file at a time that is convenient for them. This also allows them to give us information and communicate directly with the prosecutor and advocate assigned.

Greg Henning:

Even before criminal charges are brought, the nature of investigation into crimes of sexual violence can mean that the case takes weeks or months to develop before an offender is arraigned (if at all.) Because of this, it is vital to keep an open line of communication not only between the District Attorney's office and survivor, but also with law enforcement

who will be receiving these types of reports from medical professionals. Often, there are up to four or five people between the survivor and the professional who has prepared the report or analyzed the evidence. I would require regular meetings (regardless of the status of the criminal charges) between all of these parties at a location most comfortable to the survivor be held so that any delay in the progress of the case is explained in detail.

Shannon McAuliffe:

I will ensure that survivors are regularly updated on the status of evidence. All survivors deserve to have current information and support from the DA's office throughout their case.

Michael Maloney:

I will develop a communication policy with the advice of experts in sexual assault.

Rachael Rollins:

First, I want to acknowledge the importance of the Massachusetts Sexual Assault Nurse Examiner (SANE) Program and BARCC's Access to Forensic Information (AFI) Training program. Both will be important resources and partners in shaping my Administration's **victim notification protocol** which would be victim-centered and trauma-informed. Our victim notification protocol would include a communications strategy that will increase transparency and accountability to the public while providing timely follow-up to individuals that focuses on emotional and physical safety.

How will you ensure that ADAs communicate expeditiously with law enforcement to alert them that a case has stalled because of lack of information from other service providers?

Evandro Carvalho:

Keeping a constant flow of communication between my office and the police is imperative to an efficient prosecution of cases and execution of justice. Obtaining information from third parties can sometimes be a challenge in conducting investigations and prosecuting cases. Staff will be required to stay in daily contact with police/detectives to update them on issues like this. More formally, we will require Staff to send weekly written updates to detectives on the cases and to request further assistance when needed.

Linda Champion:

Prosecutors should never have to notify law enforcement about lack of information. Prosecutors have the power of a subpoena and the right to request a *capias* for the arrest of anyone that withholds information or fails to appear. They must use the tools appropriately. We do not need law enforcement to obtain information from service providers. That is something within our power and control to obtain.

Greg Henning:

As stated in my answer above, I would require regular meetings be held with the assigned district attorney, victim witness advocate, survivor, and assigned detective to discuss the progress of the case and status of the evidence. These would streamline any issues presented to law enforcement by service providers by informing the assigned attorney in a timely manner if legal action (subpoenas, motions to be heard by a judge, etc.) needs to be taken to expedite the process. That way, the case is progressing while keeping the survivor informed and aware that his/her concerns and interests are valued.

Shannon McAuliffe:

I believe in processes, checklists, timelines, and hitting benchmarks to get to the desired outcomes. At every step of the process, ADAs will be communicating with law enforcement on next steps needed.

Michael Maloney:

The DA department will be in constant communication with law enforcement as a mandate.

Rachael Rollins:

They will be trained and told that this is a priority in my Administration. If necessary, there will be time limits imposed regarding follow-ups with service providers and law enforcement.

People with disabilities

People with disabilities are victimized at higher rates than people without a disability. In particular, the rate of sexual violence against people with a disability is significantly higher, with a lower rate of prosecution.

Will you establish trauma-informed and accessible best practice policies to work with survivors of sexual violence who have a disability?

Evandro Carvalho:

Yes.

Linda Champion:

Yes. I remember working with a prosecutor assigned to a rape case in Roxbury. The victim was disabled and had little to no ability to testify. While we knew she suffered serious trauma she could not express to our office what she was suffering through. Having worked as a prosecutor in the Elders and Persons with Disabilities unit, this is an area we need to apply best practices and seek the help of the community to keep us updated and informed to help us understand the diverse needs of this population.

Greg Henning:

Yes.

Shannon McAuliffe:

Yes, the District Attorney's office should keep everyone safe regardless of disability, race, gender, age, sexuality or income. This not only means seriously and swiftly prosecuting those who take advantage of vulnerable populations but also ensuring that the survivors feel safe, understood and respected when interacting with prosecutors and advocates. This means ensuring that everyone's voice is heard. I am committed to teaching prosecutors to see the person and not just the disability.

Michael Maloney:

Yes.

Rachael Rollins:

Yes.

How do you plan to increase the rate of prosecution of cases where a survivor is a person with a disability?

Evandro Carvalho:

I will educate and train ADAs and victim advocates on working with people with disabilities and their families and/or caretakers to explain the criminal justice system and ensure their voices are heard. I plan to incorporate into the new training information on sexual assault victims and trauma, including how to handle cases with person with disabilities. And I will invite organizations and programs with a focus on persons with disabilities to speak with the ADAs and advocates to better assist people with disabilities.

Linda Champion:

We have to send a message that we will not allow all people to be victimized and we will put the full weight of the office behind investigating and prosecuting cases committed against persons with disabilities.

Greg Henning:

Presently, the Suffolk County District Attorney's Office has a dedicated unit for the investigation and prosecution of crimes committed against elders and persons with disabilities. I will ensure that the assigned prosecutors, advocates, and staff in this unit receive training not simply from another prosecutors, but from medical professionals who can explain and interpret the varying ways a survivor with a disability may (or may not) disclose abuse, the reasons behind their particular vulnerabilities, and the unique circumstances where these individuals can suffer from sexual violence (abuse by a caretaker, cognitive and/or physical issues that preclude the survivor for giving consent, etc.) Like with all cases, the victim's voice and support system is of the utmost importance. Understanding the unique voice of a survivor with a disability requires the assistance of medical professionals so that those in the District Attorney's Office can obtain justice tailored to the needs of the person in front of them.

Shannon McAuliffe:

Individuals with disabilities are sexually assaulted at nearly 7 times the rate as those without disabilities and yet these crimes are often not successfully prosecuted. Those with intellectual disabilities suffer one of the highest rates of sexual assault of any other group. First, we must work with families, medical personnel, schools and all other service providers to look for signs of sexual assault because such cases are woefully underreported. Second, we must make those with disabilities feel safe enough (in their often unsafe worlds) to report a crime. Third, when a survivor has a intellectual disability, he or she might have a hard time communicating or may not speak at all. To meet these

challenges, some prosecutor offices have employed best practices used to prosecute crimes against children such as asking concrete questions without slang, euphemisms or joking and using expert testimony to show how their disability may increase the likelihood of being manipulated. And lastly we must continue to teach prosecutors to see the person and not the disability.

Michael Maloney:

A checks and balance system will be put in place when a victim with disabilities is involved to ensure that a thorough investigation is completed.

Rachael Rollins:

My administration will employ a collaborative, multi-disciplinary, intersectional, trauma-informed, and victim-centered approach throughout our work with survivors. All ADAs, victim witness advocates, and other staff will receive implicit-bias training that addresses issues of dis/ability including in the areas of sexual harassment, sexual assault, and domestic violence. In addition we will take the following steps:

- Conduct an annual review of accessibility (using the ADA as guidance);
- Describe the right to request accommodations on all agency materials (in multiple languages that account for low-literacy levels);
- Recruit ADAs, victim witness advocates, and other staff with disabilities;
- Dedicate a line item in our budget to implement accommodations; and
- Commit to the use of people-first language and a move towards universal design principles.