

THE EQUAL TIMES

Women's rights. Nothing less.



USING MULTIPLE TOOLS TO ENSURE PROTECTIONS FOR SURVIVORS

Washington courts are denying sexual assault survivors the protections they need. So we're turning to another one of our tools to seek justice for survivors: legislative advocacy.

In a time when the prevalence and trauma of sexual violence is moving increasingly into the spotlight, courts should be helping survivors use **every legal tool available** to get and stay safe from those who have assaulted them.

But far too often, **Washington courts are failing**.

Earlier this year, the Washington State Supreme Court wrongfully denied Megan, a survivor of campus sexual assault, the protection she needed. The Court found that her **account of the assault was not enough** to obtain a sexual assault protection order; she also had to prove she had a "reasonable fear" that the man would be a danger to her in the future.

Megan *had* explained that she was afraid of the man in her petition for protection. "I have encountered [him] several times on campus," she wrote. "I did not know [him] before the night he raped me and do not know what he is capable of."

Even so, survivors should not be required to prove the probability of future dangerous acts. The sexual assault protection order (SAPO) law was expressly **created to be simple and straight-forward** so that rape survivors can quickly get the protection they need. It was specifically intended to protect people, like Megan, who **didn't have an existing relationship** with their attacker.

And as Justice Debra Stephens said in her dissent to the Court's opinion, "**experiencing a sexual assault is itself a reasonable basis for ongoing fear.**"

The Supreme Court's devastating decision created barriers between survivors and protection where the legislature intended for none to exist. It will have **dangerous and lasting effects**—not just for Megan, but for every survivor in Washington State.

Unless we do something to fix it. So we're turning to a different one of our tools to seek justice: **legislative advocacy**.

Beginning in January, Legal Voice and our allies will advocate for Washington State legislators to strengthen the state's SAPO law, **removing the language** that was used to deny Megan the



protection she needed. The venue may be changing, but our argument remains steadfast: requiring a survivor to prove more than the single sexual assault **undermines the promise of protection** and the true intention of the law.

Though incredibly disappointing, the Court's decision illustrates that not every injustice can be fixed using the same strategy. That's why **our multi-pronged approach**—using litigation, legislative advocacy, and education—is key to making change.

When we say we won't give up, we mean it. Your support not only enabled us to stand with Megan as she took her case all the way to the state Supreme Court, but it is fueling our continued fight for her and other sexual assault survivors. Thank you for being with us.

WANT TO RAISE YOUR VOICE FOR WOMEN AND LGBTQ PEOPLE DURING THE 2019 LEGISLATIVE SESSION?

Join our Take Action Team! You'll receive alerts telling you when and how to call your legislators—right to your email inbox. Text LEGALVOICE to 22828 or visit bit.ly/LegalVoiceSignUp to join!

Celebrating 40 Years of Progress at the 2018 Auction

What an inspiring night—and an inspiring community! More than **450 Legal Voice supporters** gathered together to **raise a record-breaking \$238,000** to advance the rights of women and LGBTQ people in our region. To all who joined us at this year's event: thank you for believing in a more just, equitable future, and for believing in our collective power to get us there.

Our heartfelt thanks go to all of the folks who made our event so magical: to our **volunteers** who gave their time and talents, to our **local businesses and friends** who donated exciting items and experiences, and to our **Table Captains** for bringing out such fun

people! And special thanks to our client Chelsea Gaona-Lincoln, who flew in from Idaho to share her powerful story with our community. (*Learn more about Chelsea and her advocacy for pregnant Idahoans on the following page.*)

The Auction would not be possible without the **generous support of our sponsors**: our 2018 partner, Lane Powell, as well as Foster Pepper, Garvey Schubert Barer, K&L Gates, MacDonald Hoague & Bayless, Mainstreet Legal Malpractice Insurance, Perkins Coie, Polsinelli, Skellenger Bender, Socius Law Group, Stoel Rives, Stokes Lawrence, and Summit Law Group.



SAVE THE DATES!

For more information on these and other Legal Voice events, please visit www.LegalVoice.org/events

Legislative Action Nights

WEDNESDAY, FEBRUARY 6, 2019 • 5:30–7:30 P.M.

THURSDAY, MARCH 14, 2019 • 5:30–7:30 P.M.

Cocktails for a Cause

THURSDAY, APRIL 4, 2019 • 6–8 P.M.

Legal Voice Auction

SATURDAY, OCTOBER 5, 2019 • 5:30–9:30 P.M.

HAVE YOU HEARD?

Our *Options for Grandparents and Other Nonparental Caregivers: A Legal Guide for Washington State* is now available in its fully revised third edition! This practical guide is an invaluable resource for grandparents and other caregivers who want to establish a legal relationship with the children in their care. We're also thrilled to now offer a fully translated *Options for Grandparents* for our Spanish-speaking community! Hard copies and digital downloads for both versions are available at www.LegalVoice.org/options-grandparents.



NEW VOICES AT LEGAL VOICE

Legal Voice has been changing and growing! Over the past year we've added new, powerful voices to our staff, all of whom bring an inspiring dedication to advancing the rights of women and LGBTQ people. Meet the new Legal Voice staff doing critical work in our community!



COURTNEY CHAPPELL,
ADVOCACY DIRECTOR (SHE / HER)

Courtney comes to Legal Voice with a long track record of advancing the rights and elevating the voices of women of color and marginalized groups, particularly in the Asian American and Pacific Islander community. She is passionate about approaching her role as Advocacy Director through a racial equity lens, and looks forward to continuing Legal Voice's work to dismantle structural barriers to equality.



KIM CLARK,
SENIOR ATTORNEY (SHE / HER)

Though Kim has been volunteering with Legal Voice since early 2017, she recently joined our staff as Senior Attorney. She focuses on advancing reproductive rights and health, and is committed to supporting our allies in the reproductive justice movement. Kim firmly believes in improving the law by constantly challenging it, testing its assumptions, and remaining open to change.



ANDREW KASHYAP,
SENIOR ATTORNEY (HE / HIM)

Andrew is a powerful voice for workers, especially those most marginalized by gender, race, and immigration status. He believes in providing legal support to community-led movements to effect social change. His dedication to equity and justice for all communities in our region has already advanced our economic justice efforts in amazing ways!



ROSANN MARIAPPURAM,
IF/WHEN/HOW REPRODUCTIVE
JUSTICE FELLOW (SHE / HER)

Rosann is our 2018–19 fellow through If/When/How, a network of law students and legal professionals focused on advancing reproductive justice. She splits her time between Legal Voice and Surge, our community partner working to advance racial and reproductive justice in the Northwest.



Photo: One of our clients, Chelsea Gaona-Lincoln (left), with her wife, Van.

Reclaiming Pregnant People's Rights in Idaho

We're suing Idaho for a discriminatory law that voids a pregnant person's living will.

After becoming pregnant with her first child, one of our clients, Chelsea, sat down with her wife and wrote out her advance directive. Knowing the risks of pregnancy, she wanted to direct the medical care she wished to receive if she could no longer consent to care. But Chelsea quickly learned that **her final wishes for her health would be ignored** because of her pregnancy.

That's because Idaho law states that a person's advance directive is void for the duration of their pregnancy. In other words: this law **takes away a pregnant person's decision-making power**, even when they have explicitly detailed the care they want—or do not want—to receive.

Chelsea and her fellow plaintiffs sued the state, with Legal Voice and Compassion & Choices standing with them. But Idaho quickly fired back, asking the court to throw out our case. And worse, the state is **attempting to use *Roe v. Wade* against us**, claiming that since states can regulate abortion after the fetus reaches viability, they can also regulate pregnant people's health care decisions.

This is precisely why we were asked to bring our legal expertise to this case: we knew Idaho would make this about fetal rights. Because that focus is what led to this discriminatory law in the first place.

Idaho's law is part of a disturbing trend in which states undermine pregnant people's health care decisions in favor of protecting fetal rights. **We will not accept that in the law**, and we will not accept it as a reason to dismiss this important case.

Thank you for standing with us as we fight to reclaim Idahoans' rights to make their own decisions about their health care and their bodies, regardless of their gender or ability to become pregnant.

Our thanks to Perkins Coie attorneys Richard C. Boardman, Alison Hunter, and Katherine E. Page for their outstanding and continuing efforts as cooperating counsel in this case. For more information and updates, visit www.LegalVoice.org/news/Idaho.

LEGAL VOICE

907 Pine Street
Suite 500
Seattle, WA 98101

T 206-682-9552

W LegalVoice.org

E info@LegalVoice.org

NON-PROFIT
ORG
US POSTAGE PAID
OAKLAND, CA
PERMIT NO. 259



BECOME A VISIONARY...

BY LISA STERRITT
Legal Voice Board President

I have served as a Legal Voice board member since 2012. My husband and I contribute as much time and money as we can to this organization because we believe in its mission and work. And like so many past board members and volunteers, I intend to continue to support Legal Voice long after my board tenure comes to an end.

But it wasn't until 2014 that I learned about planned giving at a Legal Voice gathering and realized that I could extend my support of this wonderful organization beyond my tenure on earth! Having others share how easy it was to become a Visionary donor inspired me to do the same.

I believe we all want to leave a legacy when we pass away. We volunteer, donate money, and spend time and energy working to make the world a better place while we are here. Becoming a Visionary donor ensures your legacy lives on after you are gone, and continues to make a difference.

Planned giving is easy, empowering, and more important than you realize. I encourage you to consider this option, and join me as a Visionary donor.

Legal Voice Visionaries are supporters and friends who have included Legal Voice in their estate plans or wills. If you are interested in our Visionaries program and would like to know more about it, please contact B. Michelle Johnson, Director of Development, at 206-682-9552 x113, or by email at MJohnson@LegalVoice.org.

JOIN US ONLINE AND STAY INFORMED ABOUT LEGAL VOICE ACTIVITIES!

LegalVoice.org  blog.LegalVoice.org  [LegalVoice](https://www.facebook.com/LegalVoice)  [Legal_Voice](https://twitter.com/Legal_Voice)  [Legal_Voice](https://www.instagram.com/Legal_Voice)