Ad Hoc Committee on “Start by Believing”

Report to Council

January 2016

Committee Background

At its meeting on October 18, 2015, the MSMA Council called for the appointment of an ad hoc committee to examine Resolution #13 from the 2015 MSMA Annual Convention and make a recommendation for Council action. That resolution – “Missouri Legislature Declare Missouri a ‘Start by Believing’ State to Encourage Victims of Sexual Assault to Report Incidents” – was referred to the Council by the MSMA House of Delegates, and is attached at the end of this memo. The ad hoc committee was composed of Drs. John Stanley, Betty Drees, Robert Corder, Rebecca Hierholzer, and Charles Lawson.

The Resolution

Resolution #13 calls on MSMA to support the nationwide “Start by Believing” campaign and to encourage the state of Missouri to do the same. The campaign aims to change the manner in which society tends to treat victims of sexual violence. According to the U.S. Department of Justice, only about 40% of sexual assaults are reported in the United States, and it is well-documented that many victims do not come forward for fear they will be met with doubt, skepticism, and blame. Statistics show that the vast majority of sexual assaults come at the hands of serial offenders, and they remain on the loose when their victims don’t speak up. The Start by Believing project is a public awareness campaign designed to improve the way we respond to victims so they might more readily step forward to report the assault and seek out supportive resources – including health care services – and start down the path of recovery.

The Resolution’s Life History

The resolution was authored by Rebecca Hierholzer, M.D., of Kansas City, and was submitted to the MSMA House of Delegates at the 2015 Annual Convention. It was referred to Reference Committee B, which heard considerable testimony both in support and opposition to the proposal. The Reference Committee recommended the resolution be not adopted, opining that “it did not fall under the purview of the MSMA to make sexual assault into a political issue...” But the full House of Delegates rejected that recommendation and voted instead to refer the matter to the MSMA Council.

The resolution went next to the MSMA Executive Committee, which stopped short of formally endorsing the Start by Believing campaign, but instead recommended the Council adopt the following policy statement in support of the resolution’s intent:
“The Missouri State Medical Association believes that victims of sexual violence should be met with full compassion and understanding in the health care setting, no matter the circumstances. MSMA further believes that all such victims should be strongly encouraged to seek out appropriate emotional support services and follow-up care to aid in their recovery.”

The Council declined to adopt that proposed policy statement, and asked that an ad hoc committee be appointed to give the issue further consideration and make a recommendation for Council action.

The Start by Believing Campaign

The Start by Believing campaign is a project of the End Violence Against Women International (EVAWI) organization. EVAWI is a 501(c)(3) tax-exempt charitable organization formed in 2003 and headquartered near Spokane, Washington. It is funded largely through grants, corporate and individual gifts, and fees for educational services. EVAWI activities are overseen by an eight-member Board of Directors from locales scattered across the nation, and includes long-time MSMA member Michael Weaver, M.D., a respected emergency physician in Kansas City. Its stated mission is to promote victim-centered, multi-disciplinary collaboration to inspire and educate those who respond to gender-based violence, and equip them with the knowledge and tools they need to support victims. That mission is pursued through training and educational conferences, seminars, webinars, resource materials, and the Start by Believing campaign.

EVAWI launched that campaign in 2011, to focus on public awareness at the local community level. Since then, two states (New Mexico and Arizona) and a large number of municipalities, police and sheriff departments, and health care facilities (including the University of Missouri Hospital system) have formally endorsed the initiative.

Committee Recommendation

Your Ad Hoc Committee on “Start by Believing” recommends the Council adopt Resolution #13 and endorse the Start by Believing campaign. The committee’s thoughts in support of this recommendation, and those regarding specific concerns expressed by some with reservations about an endorsement, are provided below.

Reasons to Support

First, the committee believes that sexual violence is a serious health care issue, and practicing physicians have a basic ethical obligation to treat victims of sexual violence with compassion and understanding, no matter the circumstances. The committee thinks the Start by Believing campaign is fully consistent with that principle, and its efforts will enhance the care and support victims receive.
Start by Believing is a straightforward public awareness campaign designed to improve the way society responds to victims of sexual assault. That naturally includes the law enforcement community, but also family, friends, advocates, and health care professionals. The committee could identify no disadvantage to supporting the effort, and in fact thinks MSMA would benefit from being involved in this sort of positive public relations campaign. Moreover, support for this initiative would advance the idea of MSMA physicians serving as advocates for their patients, regardless of circumstances.

A victim of sexual assault faces a daunting series of decisions to make on the pathway to healing and justice. Do they tell a friend or family member that they have been sexually assaulted? Do they submit to a long and embarrassing medical forensic exam? Do they call the police and subject themselves to grueling interviews and a legal process that will disrupt their lives significantly? Do they talk about an incredibly painful experience? Any negative reaction along that path, either real or anticipated, will likely stand as a barrier to emotional and physical healing. The victim – the patient – is paramount, and MSMA should embrace Start by Believing as a means to reduce barriers to the victim’s care.

The campaign’s focus is wide-ranging, but its primary target is the public at large. Knowing that sexual assault victims typically confide first in a friend or family member, Start by Believing wants to improve the immediate reactions of family and friends so victims will more readily seek out the professional help they need. Not knowing who the next assault victim will be, the only way to reach that target audience is to reach out to the community as a whole. The committee found this strategy and approach to be laudable.

Although not yet scientifically quantified, evidence strongly suggests that Start by Believing has had a positive impact where local campaigns have been waged. A nearby example is in the Kansas City area, where community partners and law enforcement agencies pushed the campaign message to the media and the public, and a local outdoor advertising firm donated space for the Start by Believing message on 17 billboards across the metropolitan area. Shortly thereafter, the local rape crisis center reported that the number of hospital calls for its services increased dramatically – to the highest level in five years – and the number of rape reports to the Kansas City Police Department increased. This, even while the number of sexual assaults reported across the nation was in decline. And equally illuminating, reports to the police and calls to the rape crisis center fell when the billboards were taken down.

And finally, Start by Believing resource materials share some very disturbing testimonials and real life examples of rape victims (including a high profile case in Maryville, Missouri) who reported their assault only to be victimized again by the callous response from police, prosecutors, and the general public. One involved the rape of an 11-year old girl, where someone suggested in the media that she deserved it because she dressed like a 20-year old. It is difficult to believe that a society cannot be better prepared to respond to victims in a more fair and compassionate manner. The “Start by Believing” campaign endeavors to change that sort of response.

Addressing Concerns

In the course of discussing the resolution, there was hesitance among some to endorse the Start by Believing campaign. Fair and legitimate concerns were expressed, but the committee
determined that most of those fears are readily allayed with a better understanding of the campaign’s mission and execution.

The most prevalent and compelling worry was that an endorsement would ask treating physicians to summarily believe one side over the other, and would establish an MSMA policy that says in every instance the default position is to unconditionally believe the alleged victim. But the committee found this is not what the Start by Believing message says or implies. The intent is to start from an orientation of believing, and that does not require anyone to specifically say, “I believe you.” Any benevolent gesture, any initial expression of compassion and respect makes the victim – the patient in a physician’s case – more comfortable and more willing to seek out treatment, important supportive services, and justice.

“Innocent until proven guilty,” one of the most sacred principles in the American justice system, was also cited. But the committee found nothing presumptuous or prosecutorial in the Start by Believing mission or its educational endeavors. There is no effort, real or implied, to short-circuit the due process system. Physicians, counselors, and other patient/victim advocates are not in any way asked or expected to render judgment or assess blame. The campaign intends only to improve the way the victims are received when they step forward to report a sexual assault.

Concern has been expressed that this effort unfairly pits women against men. The committee disagrees. While most sexual assaults involve female victims at the hands of male perpetrators, it certainly is not always so. The Start by Believing campaign openly acknowledges this, and equally applies its efforts to all victims of sexual violence, male and female alike. The project specifically aims to integrate diversity in its outreach efforts across the nation.

It was also suggested that MSMA should proceed carefully before openly supporting a program that few have heard of and appears to be in its infancy. Some warned that outside organizations sometimes take positions on issues that conflict with MSMA policies. As was mentioned above, the EVAWI organization was formed more than a dozen years ago, and the Start by Believing campaign has been running successfully for several years. All pertinent legal and financial information is fully disclosed to the public, and the committee found nothing in the background and history of either endeavor that aroused any doubt or suspicion.

Summary

After evaluating the advantages and disadvantages as discussed above, the Ad Hoc Committee on “Start by Believing” recommends that the MSMA Council adopt Resolution #13. By that action the MSMA would formally endorse the Start by Believing campaign, and the Association’s governmental affairs team would ask the Missouri General Assembly to likewise endorse the effort and make Missouri a “Start by Believing State” (as Arizona and New Mexico have done). The committee finds that these steps would not require a significant layout of Association resources, and further believes this action is something in which a large number of MSMA members could take pride.
Missouri State Medical Association
House of Delegates

Resolution #13
(A-15)

Introduced by: Rebecca Hierholzer, MD and Kansas City Medical Society

Subject: Missouri Legislature Declare Missouri a “Start by Believing” State to Encourage Victims of Sexual Assault to Report Incidents

Referred to: Reference Committee B

Whereas, when a loved one dies in a car accident due to a drunk driver, or you are diagnosed with cancer, your loved ones will gather around you to support and care for you. Sometimes the community will lend support. They don't blame you, and

Whereas, "I was raped”. It is extremely difficult for a child, women or man to disclose that they have been prey to a sexual predator. They are shamed, blamed and the community sometimes persecutes them. The pain of sexual assault is long lasting for the victim as well as the family and can ripple through the community with destructive effects, and

Whereas, April is Sexual Assault Awareness Month. As physicians we should believe that sexual violence is as much a health care issue as diabetes, heart disease or obesity. These are patients that we see in our offices that are dealing with the symptoms of PTSD, and

Whereas, Start by Believing is a public awareness campaign designed by End Violence Against Women International (EVA WI) to change the way we respond to rape and sexual assault in our communities. We need to dispel the myths surrounding sexual assault and support our patients. The mission of Start by Believing is to allow communities and professionals (particularly in law enforcement and medicine) to make a statement that they will "start by believing the victim" when they hear a story of sexual assault, and

Whereas, Arizona was the first state to "Start by Believing", and

Whereas, Police, prosecutors, health care systems and other community members support this initiative, therefore be it

Resolved, the physicians of Missouri should support the "Start by Believing" campaign, and be it further

Resolved, that the Missouri State Medical Association send a message to the legislature that Missouri become a "Start by Believing" State, thus proclaiming that we will "start by believing victims of sexual assault."