

Legal Aid for Survivors of Sexual Assault

Legal Avenues for Healing & Justice:
Civil Legal Resources for Survivors of Sexual Assault

The Texas Access to Justice Foundation provides support to this program

Presenters

Shelli Egger

LASSA Managing Attorney

Pronouns: she / her

segger@tlsc.org

Dukes

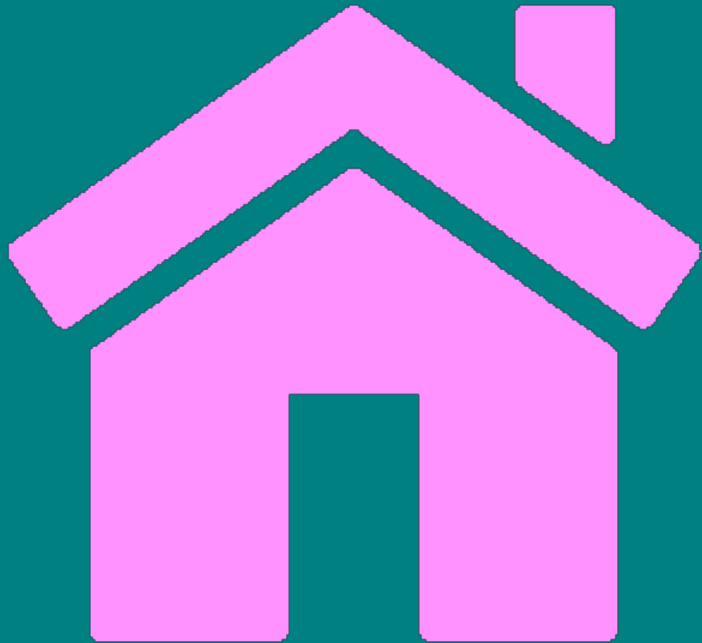
LASSA Network Coordinator

Pronouns: they / them

dukes@tlsc.org



Sexual Violence & Housing Insecurity



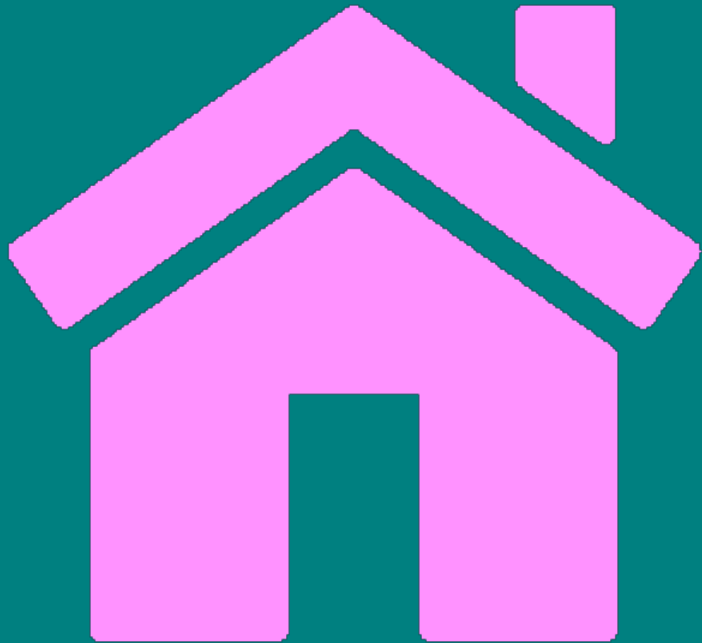
Housing Insecurity

=

Vulnerability to Sexual Violence



Sexual Violence & Housing Insecurity



Sexual Violence

=

Vulnerability to Housing Insecurity



Sexual Violence & Housing Insecurity

- **92% of women experiencing homelessness have experienced severe physical &/or sexual violence in their lifetime** (National Center on Family Homelessness, 2005)
- **25% of Transgender Women & 15% of Transgender Men reported sexual assault at a shelter** (Injustice at Every Turn: A Report on the National Transgender Survey, 2011)
- **20% of survivors struggle to keep or find housing because of sexual violence** (Housing & Sexual Violence Overview of National Survey, 2010)
- **32% of women, 27% of men, & 38% of transgender persons experiencing unstable housing reported either physical or sexual victimization in the previous year** (Kushel et al., 2003)



Sexual Violence & Housing Insecurity

- **61% percent of girls and 16% of boys report sexual abuse at home as reason for running away** (Estes & Weiner, 2001)
- **Studies show that the age at which youth leave home directly relates to sexual victimization on the streets; the younger they are when they leave, the more likely they are to be victimized** (Tyler et al., 2004)
- **70% of youth experiencing homelessness report experiencing some form of violence, 32% of which includes sexual assault** (Kipke et al., 1997)
- **40% of youth experiencing homelessness identify as LGBTQIA+** (Missed Opportunity: Youth Homelessness in America, 2017)



Sexual Violence & Housing Insecurity

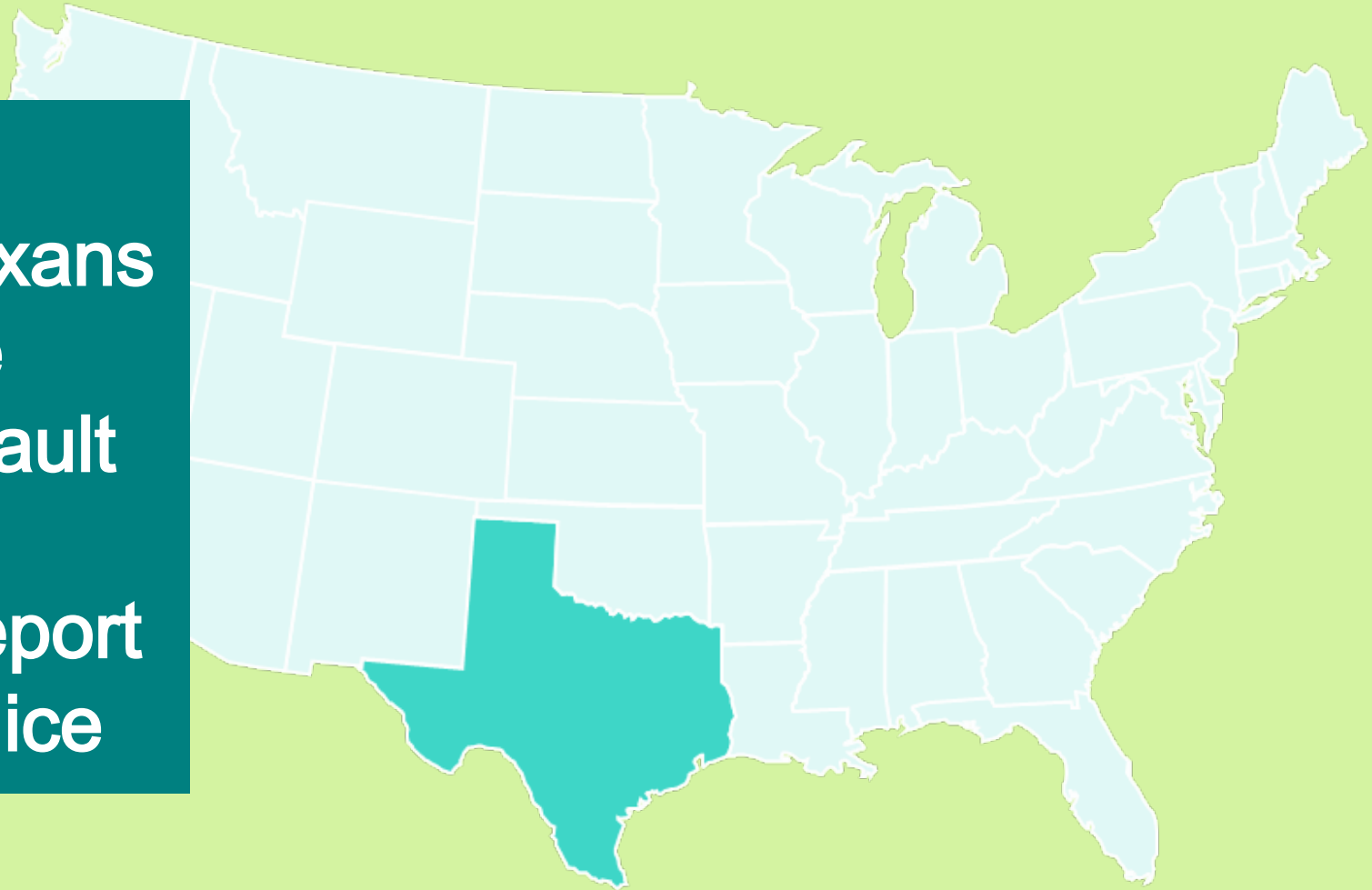
“When it comes to children who are assaulted by the breadwinner in the house, the breadwinner is taken into custody and the family is in danger of losing their home because of lack of funds.”



The Impact of Sexual Assault

33.2%
of adult Texans
experience
sexual assault

Only 9% report
it to the police



LASSA Network Foundational History

- Historically Civil Legal Aid services available to domestic violence survivors (VAWA LAV, LSC), but not survivors of sexual assault
- 2007 Sexually Oriented Business Fee (\$5 tax upon entry) passed Texas Legislature (litigated for years)
- 2015 portions of the fees collected awarded to Texas Access to Justice Foundation [TAJF] to provide civil legal services to survivors in Texas
- TAJF used funds to create the Legal Aid for Survivors of Sexual Assault [LASSA] program & sent out call for proposals (does not hold any funds to administer & manage grant)



LASSA Network

Legal Service Corporation [LSC] Programs:

Legal Aid of Northwest Texas [LANWT]

- 114 Counties N & W TX
- LASSA Offices in Dallas, Ft. Worth, and Odessa

Texas RioGrande Legal Aid [TRLA]

- 68 Counties in RGV
- Full range civil legal services
- Under LASSA Programs

Lone Star Legal Aid [LSLA]

- 72 Counties
- East & Gulf Coast of TX
- Houses TVCLSN Website

Statewide General & Specialized Programs:

Texas Legal Services Center [TLSC]

- Statewide LASSA Hotline
- Advice & screening, no in-person representation

Texas Advocacy Project [TAP]

- Statewide representation
- Specialty in Title IX & Protective Orders

Equal Justice Center [EJC]

- Statewide representation
- Specialty in Sexual Harassment & Sexual Violence in the Workplace

Regional & Specialized Programs:

Catholic Charities of Dallas [CCD]

- Specialty in Immigration
- Greater DFW Area
- Multiple social services

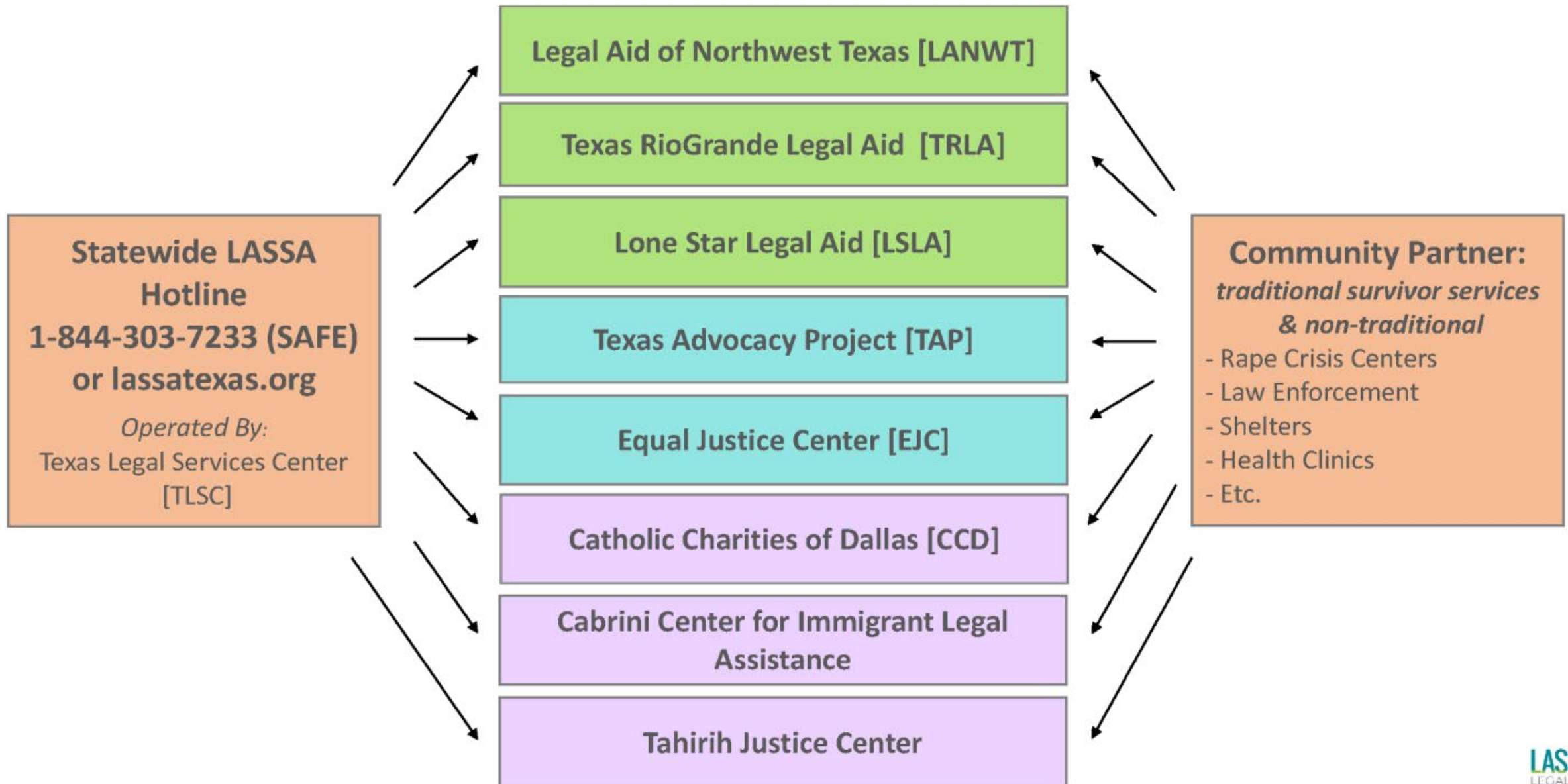
Cabrini Center for Immigrant Legal Assistance

- Catholic Charities of Galveston & Houston
- Multiple social services

Tahirih Justice Center

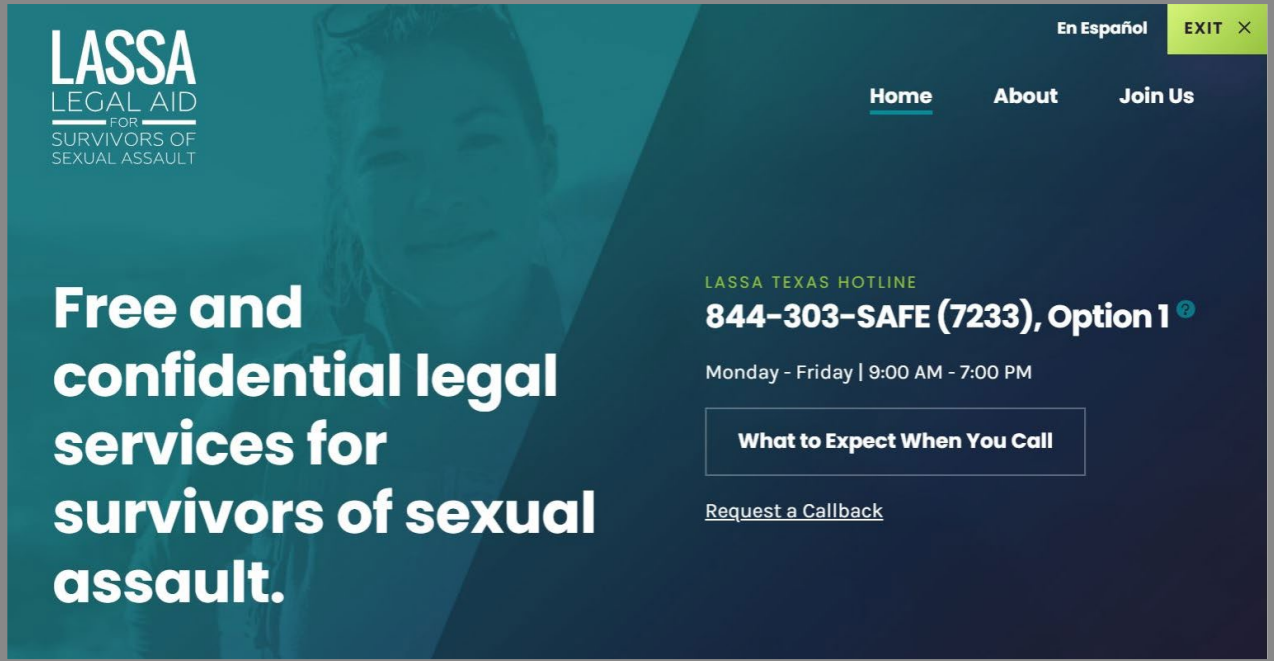
- Specialty in Immigration & Forced Marriage
- Greater Houston Area
- Has Policy Advocacy Program

LASSA Program Access Points



How to Apply for Free Legal Services

- Launched SAAM 2022
- Full sites translation:
 - Spanish
 - Vietnamese by '24
- Survivor-centered info
- Partnership connections
- Another access point to LASSA
- Submit anonymous call requests



The screenshot shows the LASSA website homepage. The logo in the top left reads "LASSA LEGAL AID FOR SURVIVORS OF SEXUAL ASSAULT". The navigation menu includes "Home", "About", and "Join Us". A language selector in the top right shows "En Español" and "EXIT". The main content area features the text "Free and confidential legal services for survivors of sexual assault." followed by "LASSA TEXAS HOTLINE 844-303-SAFE (7233), Option 1" and "Monday - Friday | 9:00 AM - 7:00 PM". There is a button labeled "What to Expect When You Call" and a link for "Request a Callback".

lassatexas.org

How to Apply for Free Legal Services

Access to the right help at the right time has the power to transform the lives of an entire family for generations.



Operated by Texas Legal Services Center

1-844-303-7233 (SAFE), Option 1



LASSA Hotline Services



Intake

Holistic, trauma informed intakes

Safety Planning

Survivor-centered safety planning

Brief Services

Legal information, advice, and limited assistance

Referrals

Referrals for extended service and resources

LASSA Grant Parameters

Out of Scope

- Criminal defense
- Lobbying
- Class action lawsuits
- Lawsuits for punitive damages
- Direct or indirect abortion litigation
- Inmate representation

In Scope

Civil legal services to minor and adult sexual assault survivors at or below 200% of federal poverty guidelines

Civil Legal Remedies for Survivors of Sexual Assault



“The cops told me I need
a restraining order to
make him leave the
house . . .”



Protective Order

vs.

Restraining Order

Orders the Respondent to stay away from protected individuals and locations, i.e. home, work, and school

Lasts up to 2 years for FV*
Lifetime orders for sexual assault/stalking

File in criminal or civil court

Enforceable by arrest

Orders the other party not to harm or dispose of property or to threaten, harass, or harm you or your children

Lasts for 14 days, but can be converted to temporary injunction for case duration

File into existing family lawsuit

Enforceable by contempt



Types of Protective Orders in Texas

- Magistrate's Order of Emergency Protection (MOEP or EPO)
- Temporary Ex Parte Protective Order
- Family Violence Protective Order (PO)
- Sexual Assault Protective Order (SAPO)
- Stalking Protective Order





One study found that 83% of victims with an attorney obtained a protective order, compared to only 32% of victims without one.



**“I was sexually assaulted.
Can I break my lease?”**



A Texas Tenant May Terminate Their Lease if:

- The tenant is a victim or a parent/guardian of a victim of a sexual assault who gives notice;
- The incident took place in the past six (6) months; and
- The incident took place on the premises where the victim lives.





Get a sample Early Lease Termination Letter provided by the Texas Association Against Sexual Assault (TASSA) to give the required 30-days notice.



Expansiveness of LASSA Services

Motions to quash, sealing courtrooms & records

First Amendment protection – Anti-SLAPP Litigation

Barrier Removal - Expunction & non-disclosure

Cybersecurity

Coerced Debt

Bankruptcy

Guardianship

HUD/Section 8 transfers and appeals



LASSA Aspirations

- Strengthen Relationships
- Build community capacity to understand sexual violence as a public health crisis
- Permanent statewide programming/non-reliant upon potential instability of Adult Oriented Business Fee
- Ability to serve all survivors w/out restrictions
- SA-specific legal definition inclusion in policy
 - i.e. legal aid attorney inclusion on Lease Termination forms
- State-level representation/consideration at Task Forces, Planning & Steering Committees
- Inclusion as critical stakeholders in sexual assault related policies

