

For Immediate Release
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We have not yet fully closed the books on 2014 – dubbed “the year everyone started talking about sexual assault” – and we are starting 2015 with threats of ethics complaints and defamation suits that may end the conversation.

In a Florida case involving Jeffrey Epstein, the victims’ attorneys moved to join additional victims, citing as support, among other facts, that Epstein had made at least one of the underage victims have sex with prominent criminal defense attorney and law professor Alan Dershowitz and other famous persons. Nearly immediately Dershowitz threatened to bring a civil defamation case and ethics complaints against the victims’ attorneys, and publicly challenged how any lawyer could believe a “serial perjurer, serial liar, serial prostitute” when she alleges rape. The response is beyond troubling.

Access to justice and petitioning courts for redress of harms are fundamental rights. Victims of sexual violence know all too well that exercising these rights comes at significant costs. Costs that can include loss of privacy, censure from disbelieving friends, family members, and the public, and re-victimization at the hands of the criminal justice system. We are now witnessing each these costs, and new ones, publicly play out.

Dershowitz’ immediate resort to ad hominem attacks on the victim, including stating “this woman is a prostitute, a liar” is evidence that rape myths are alive and well and need to be combatted.

In addition, in this context, threats of defamation suits and ethics complaints are best characterized as a SLAPP (strategic litigation against public participation) and should be recognized as attempts to silence victims. While victims have faced such suits for years, when such actions are threatened or brought against a victim’s attorney the impact may be even more significant. Victims who find the strength to seek help will be confronted by lawyers compelled to research and calculate not only the facts of a case but also each defendant’s power, resources, and indignation. Such calculation may result in attorneys declining meritorious cases, which will likely leave the most vulnerable victims without recourse.

We as a society must come to truly believe that anyone can be sexually assaulted. We must ensure that when they are victimizations, victims can turn to lawyers for help. And we must ensure that lawyers can bring cases – even hard cases – on behalf of their clients. Settling for anything less diminishes justice. We cannot abide by the silencing of victims. We cannot let this be what 2015 is about.

Founded in 2000, the [National Crime Victim Law Institute](http://www.ncvli.org) is a national resource for crime victim lawyers and advocates to support the assertion and enforcement of victims’ rights in criminal and civil processes. NCVLI continues to be the only national organization whose mission is focused on enforcement of victims’ rights in the courts.