



# The Changing Landscape of Abuse: An Urgent Conversation

Thank you to those who joined our conversation on The Changing Landscape of Abuse. As we discussed, the situation is urgent and the threat is existential. It is critically important to make sure that everyone on your board and leadership team understand the environment you are now operating in. This includes:

## **A Growing Threat of Historical Allegations**

As states across the country dramatically expand statutes of limitation—including a look back period—it is all but guaranteed that our movements will be facing a significant increase in historical allegations. Be sure that your board knows how to respond to an adult disclosing abuse. The survivor should be told four things:

1. “I believe you.”
2. “It’s not your fault.”
3. “I will do all in my power to help you heal.”
4. “We have learned a lot since then and are making sure this never happens again.”

## **Greatly Increased Severity of Settlements & Jury Verdicts**

Society's intolerance of abuse has transformed how juries view abuse cases—meaning both custodial sentences and financial settlements that are astronomically higher than they would have been a few years ago. To compound this trend, juries are also much less inclined to differentiate between different forms of abuse that might once have been assessed on a spectrum of "severity".

## **Fundamental Changes to the Insurance Market**

As a result of these shifts, the insurance markets are reassessing how they cover abuse as a risk—and it will absolutely result in either much greater premiums, much lower limits, or a combination of the two across the entire insurance market.

Here's what you can do to prepare:

1. Make sure you create environments and operating procedures where there is no opportunity for abuse to occur. That includes zero tolerance for rule breaking and inappropriate behavior, 100% supervision at all times and a commitment to involving parents and the wider community in creating a culture of safety.
2. Hold difficult conversations now—with your leadership, your staff, your volunteers, your board and the wider community—to make sure you are aligned on this important topic, and that you are fully prepared to respond to allegations as and when they do occur.
3. Gather as much information as you can, dating back as far as you can, about your insurance policies—especially as they pertain to abuse. You will need this information if any survivors do come forward.

On the page that follows, you will find a suggested exercise that may help you and your board prepare for what is to come.

# Preparing for Historical Accusations of Abuse: A Board-Level Drill

**Values** — plural noun, /'valyoōs/

*A person or organization's principles or standards of behavior; one's judgment of what is important in life.*

Chances are, every youth-serving community organization has a set of defined values to which its leadership, board, employees and volunteers are expected to adhere. Yet it is a fact of human life that the same words can mean different things for different people. The worst time to discover that your team's values are not aligned is when you are trying to navigate through a crisis.

As states around the country expand the rights of survivors of sexual abuse, there will be a sharp increase in the number of historical incidents to which youth-serving community organizations will be called to respond. And while we are now well trained to deal with cases involving children currently in your programs, we need exactly the same preparedness to respond to an adult who alleges abuse that happened years—and even decades—ago.

Values will be central to navigating such cases effectively and ethically.

The following exercise will help ensure that your organization's board is prepared to respond to historical allegations of abuse—and to do so in a manner that is both consistent with your organizational values and puts the needs and well-being of survivors at the heart of your decision making.

## Process

### Step One

In advance of your next regularly scheduled board meeting, inform your board chair and staff leadership that you will be holding this exercise. Share this document so that they know what to expect, and discuss with them any anticipated problems and how you plan to follow up with board members afterwards.

### Step Two

Schedule a ten- to fifteen-minute discussion for the start of your board meeting in which you read and review your organization's values and what they mean to the group.

### Step Three

On completion of that exercise, explain to your board that the agenda for the meeting has changed—and that you have urgent news that you need to discuss with them. The following is intended as a suggested script, but please feel free to adapt to make it authentic and believable to your organization:

*I'm glad that we had time to review our organizational values today because they have never been more critical. I have important news I need to share with you, and I'm going to need your help.*

*Yesterday, I received a voicemail from a thirty-five year old man/woman who used to be a participant in our programming. They told me in that message that they want to talk to me about several incidents of sexual abuse that happened here over a period of several months, and that the perpetrator was a member of our staff. They didn't provide more details than that, but here's what I need from you:*

- *First, I need your permission to call them back.*
- *Second, I need you to know that I'm going to tell them I'm here for them, I believe them, and I'm going to do what I can to get them the help they need.*
- *Finally, I need your support and commitment—here and now—that we are going to get to the bottom of these allegations, regardless of what other facts may come to light.*

#### **Step Four**

At this point, we recommend that you open up the meeting to discussion—and you record and take note of how your board responds.

#### **Step Five**

Once you have a good sense of the shape of the conversation, you can reveal that this was a drill—and explain that the purpose was to make sure that you are fully aligned on how to respond historical cases of abuse before they come to light. (Check with the board here to see how they are feeling—this is an emotionally charged topic and some may have direct life experiences that make it challenging.)

If the group decided to direct you to engage with the survivor in a way that is consistent with your organization's values, congratulations. Celebrate the fact that you have a mission-focused, values-driven group of volunteers. If the direction of the group was different (“don't call back”, “circle the wagons”, “have an attorney call them back”...) decide with your Board Chair if that's the right time to help the group come to another position—or if that conversation should come later. Either way, the conflict must be addressed before an allegation arises and it's far better to have identified it in advance.

Then spend a little time educating your board on the changing legal landscape—either referencing specific statutes of limitation in your jurisdiction, or the more general trends we are seeing in terms of news stories. Be sure to include reference to what is happening to organizations that chose to hide abuse events or hope they would go away (Boy Scouts, the Catholic Church, Olympic sports...) Explain to your board that you are recommending it become written policy that you respond to any historical allegations in the manner they described—if they came to the right approach. If not, there's important work ahead.

**Important Note:** We believe a drill like this is a powerful tool for both ascertaining the current state of board alignment and for working through any tensions that may arise. We are aware, however, that successfully implementing it will require adapting it to your specific circumstances, your specific board, and your appropriate timetable. For this reason, we are not making specific recommendations for how you manage your board's responses—but please do reach out to us should you need help in navigating any and all issues that may come to light as a result of this drill.



# Abuse Prevention Scenarios

We created these scenarios in order to give staff the opportunity to discuss, in a group, different situations they may find themselves in when working with children. During each scenario, we encourage you to discuss with your staff whether they agree with the answer, if they think there are additional responses that may be correct, and how they can ensure that they are following both best practices and your organization's policies. While these scenarios are set in a traditional day camp model, they can occur in any youth-serving program. Feel free to adjust them how you see fit.

## Scenario 1

You observe Alex, a fellow co-worker, giving Sam, a camper, a piggyback ride. Sam seems happy and is enjoying the free ride to the next activity. Initially, this does not make you uncomfortable because Alex seems to be a trusted counselor by everyone. It's the first time that you have seen him give a piggyback ride to any child. However, you know that this is against your organization's code of conduct. What should you do?

- A. Have a conversation with Alex later in the day to remind him that, while the piggyback ride seemed innocent, it was against the rules and he shouldn't give piggyback rides anymore. You don't need to do anything else because Sam wasn't harmed and Alex is a good counselor.
- B. You don't need to worry about it too much until you start to see a pattern in Alex's behavior. You would hate to ruin someone's reputation over something so innocent.
- C. Find your supervisor and explain the situation that you observed. You are not reporting Alex as a suspected child abuser, but it is your responsibility to raise up instances of rule-breaking like this one.

## Correct Answer: C

Options A & B do not fulfill your role as a counselor. Reporting any observation of rule-breaking by a fellow counselor is just as much a part of the job as showing up on time each day, leading by example and wearing a staff shirt. Remind staff that they are not reporting a staff member as a suspected child abuser, rather they are just reporting a rule being broken.

**Tip:** Make sure that all staff and volunteers know what it means to be a mandatory reporter. Train them on your state's mandatory reporting laws.

## Scenario 2

It's Tuesday, so it's your cabin's responsibility to set up for Arts & Crafts today. Alex chooses a couple of campers to go with him to get the supplies out and tables set up. One of the campers chosen is Sam, the camper Alex gave a piggyback ride to the other day. You watch as Alex and the small group of campers skip off to the Arts & Crafts area.

Upon taking the entire group of campers to Arts & Crafts, you observe Alex and Sam sitting off to the side making friendship bracelets. When it's time for clean-up, they both disappear to the supply closet to put things away. You are uncomfortable, but you are still a new counselor and don't want to make a big deal out of nothing. What should you do?

- A. Ignore it. There are other counselors that see what's going on, and surely one of them will report it.
- B. Write down what you observed and tell your supervisor what you observed as soon as the session is over.
- C. Interrupt them in the closet so they're not alone. Then tell your supervisor what you observed as soon as the session is over.

**Correct Answer: C**

You have just observed a counselor favoring a camper and spending alone time with her. This behavior is against the rules of your organization. It's important to report rule-breaking to your supervisor right away, but more importantly, to intervene when you see this behavior happening. Go to the closet and check in to see what is going on. Let Alex know that you are present and aware. Remind the counselor that they should follow the "rule of 3's" (three people together for safety).

**Scenario 3**

It's the last day of camp and all of your campers are packing up to go home. Off to the side, you see Alex and Sam talking. Alex is on his phone, and is looking for Sam on Facebook. They then continue to exchange numbers and Alex tells Sam that he would love to hang out outside of camp. Immediately, this doesn't feel right to you. You know it is against your organization's rules to have any outside contact with the youth in your care. What should you do?

- A. You immediately report what you observed to the onsite supervisor and go to the senior leadership of your organization. There has now been a definite pattern established and no change in behavior. You continue to report up the chain of command until you observe change.
- B. Ignore it. The camper is leaving and is no longer your responsibility.
- C. You pull another counselor over to ask for advice. If you both agree something is wrong, then you will report it.

**Correct Answer: A**

**Tip:** Keep in mind that simply reporting the rule-breaking is just the first step. If you don't see a change in behavior, leadership has the responsibility to step in and help modify behavior, improve accountability and create change.



# Parent/Guardian Involvement

Preventing child sexual abuse takes everyone. Staff, volunteers, guardians and community members alike need to know what the warning signs of abuse might look like and what they need to do if they spot them. Below you will find guidance that you can give to parents, so that they become an integral part of fighting against child sexual abuse.

## Organization's Policies and Procedures

When a child first comes in to your care, review the following with their parents or guardians:

- Inform them on what your child protection policy is. Make sure everyone is aware of the rules each staff member needs to follow.
- Educate them on what your mechanism is for reporting rule-breaking, suspicions and acts of abuse.
- Let them know how your employees and volunteers are screened and what training they have completed.

## Signs of Child Sexual Abuse

Educate parents/guardians on the following signs they should watch out for:

- Behavior problems, physical aggression, non-compliance and rebellion
- Anxiety, depression, fear, withdrawal and suicidal thoughts
- "Too perfect" or over compliant behavior
- Nightmares, bed-wetting, bullying and cruelty to animals
- Lack of interest in friends, sports and other activities

## Responding to Children Who Report Abuse

It is important to educate parents and guardians on how to respond if their child discloses that they have been abused. If someone discloses abuse to you, it's extremely important to:

- Listen calmly and openly
- Don't fill in any gaps or ask leading questions about the details
- Tell them you believe them and that it isn't their fault
- Don't promise that the information they say will be kept confidential
- Report the abuse to the police or CPS

## Talking to Kids About Sexual Abuse

Teach parents and guardians how to appropriately talk to their children about sexual abuse.

[Darkness to Light](#) recommends the following:

- Teach children that it is "against the rules" for adults to act in a sexual way with them, and use examples.
- Teach them what parts of their bodies others should not touch.
- Be sure to mention that the abuser might be an adult friend, family member or older youth.
- Teach children not to give out personal information while using the Internet, including email addresses, home addresses and phone numbers.
- Start early and talk often. Use everyday opportunities to talk about sexual abuse.
- Be proactive. If a child seems uncomfortable, or resistant to being with a particular adult, ask why.