



### **Summer Menefee Summer 2021 WBA Foundation Founders Fellowship Personal Essay**

For as long as I can remember, I have always had a deep desire to help women, but it wasn't until my spring 2021 clinic with the Domestic Violence Project that I figured out how to put that desire into practice. Through the DVP I interned at the DC Coalition Against Domestic Violence, where I helped with policy-based work. During this experience I was blown away by how much I enjoyed working on domestic violence policy issues, which I learned involve many issues not directly connected to DV (like the housing crisis) and discovered how much I admired the people who do this work. Following this spring internship, I was determined to keep pursuing this work over the summer, which led me to AEquitas, The Prosecutors Resource on Violence Against Women, and the WBA Foundation Founders Fellowship.

AEquitas works to provide resources to prosecutors involved in gender-based violence and human trafficking cases, with a focus on protecting victims and holding offenders accountable. I was drawn to AEquitas due to its dedication on precisely portraying the law, as I know prosecutors can lose sight of legal accuracy in pursuit of the bigger picture, which ultimately hurts victims more than helps them. With an emphasis on collaboration, AEquitas seeks to make prosecution of gender-based violence as effective and ethical as possible. As AEquitas is a resource based non-profit, its intern assignments tend to fall into two categories- long-term single-issue projects that will go into AEquitas' research page for anyone who might be interested and research memos on specific issues requested by prosecutors.

My long-term assignment was to update and revamp AEquitas' resource on spousal privileges. This included not just updating the statutes of all 50 states but adding relevant case law and creating an elaborate "At A Glance" chart to summarize the main legal issues. Spousal privilege statutes tend to provide spousal immunity (which allows a currently married spouse not to testify at all against their defendant spouse) and marital communications privilege (which allows a spouse not to testify to any marital communications that occurred during the marriage). States vary greatly on spousal privileges, some offer just one of these and some offer both, and the holder of the privilege (witness-spouse, defendant spouse, both spouses) varies depending on the type of privilege and the state. Case law comes in mostly in how states define marital communications (i.e., if they consider intent of the speaker or non-verbal actions), and every state has exceptions to the privileges, which come from case law and statutes. At first glance, I was unsure how to feel about this project as it does not directly address gender-based violence or human trafficking issues but as I started working on it, I began to appreciate not just how it improved my legal abilities but how relevant marital privilege can be. By looking at every state's different version and court's interpretations of spousal privilege statutes, I learned a lot about how important wording can be in statute creation and the nuance of how courts will interpret that wording. Moreover, I learned how to summarize case law in an efficient and easy to follow manner. Beyond the practical lessons though, as I looked through the case law, I discovered that many of the cases directly involved the issues I care about, where defendants try to prevent



their spouses from testifying against them in cases involving child abuse, sex trafficking and even domestic abuse against the spouse themselves. In those cases, the holder of the privilege and exceptions to spousal privileges become incredibly relevant. I ended up being very proud of this project, and I am hopeful it will make life just a little easier for many future prosecutors.

During my AEquitas internship, I also helped with specific research questions posed to AEquitas from prosecutors across the country. These assignments helped me hone my research abilities and learn how to manage my time more efficiently, as some assignments came with a 24 hour turn over deadline. One particularly interesting assignment involved the duties of medical forensic examiner in performing sexual assault forensic exams. Through looking at both the statutes of the state and finding official guides for forensic examiners, I discovered that there was a very relevant misunderstanding about the obligations of the examiners. My discovery of such a relevant detail during a short assignment made the work feel more real to me, which at times I struggled with due to the online Covid format. Another project I really enjoyed researching involved sex trafficking through social media. As this is an emerging topic, I was able to find limited but very helpful case law. This project was exciting to me as I find legal questions involving technology to be deeply fascinating. Technology is such a quickly changing phenomena that it requires the law to play catchup in an attempt to answer questions we wouldn't have considered a few years ago. I value the opportunity to play a role in unanswered legal questions and I believe social media and emerging technological advances will start to come up in prosecution with increasing frequency. AEquitas understands that social media questions are going to come up more in gender-based violence work and I appreciated getting to create a research memo on this issue that might be utilized in the future. These small research memos gave me a greater appreciation for how much background research goes into a single case. Lawyers need to quickly become experts in new fields every time they try a new case and collaborative organizations like AEquitas can help lighten that workload.

I finished this summer with AEquitas feeling hopeful not just about my own future career but about the future of gender-based violence work. At AEquitas my projects felt engaging and relevant, and I could easily picture myself doing this work for a long time. In particular, I was very drawn to gender-based violence and technology issues and hope to pursue this research further. Both my fellow interns and the AEquitas employees have a clear passion for fighting injustice. Despite the seriousness of the work, the AEquitas employees also demonstrated a commitment to creating a positive work environment focused on helping each other out. It is very heartening to see the care and commitment the people engaging in this work have and to interact with my fellow interns who will one day enter this field. Organizations like AEquitas, which focus on prosecuting domestic violence, human trafficking, and sexual violence in a victim-focused way, and the prosecutors who take advantage of AEquitas give me confidence in the field. I feel incredibly grateful for this internship experience and the WBA Foundation fellowship that allowed me to take this internship. I believe this was just the beginning of my legal journey to improve the lives of women and girls throughout the country.