

Just the Intersection of At-Home Kits and Healing

Introduction [00:00:05] Now this is recording, RTI International Center for Forensic Science presents Just Science.

Voiceover [00:00:19] Welcome to Just Science, a podcast for justice professionals and anyone interested in learning more about forensic science, innovative technology, current research, and actionable strategies to improve the criminal justice system. In episode two of our Perspectives on At-Home Sexual Assault Kits season, Just Science sat down with Monica Gardner, an advocate, a former rape crisis center team advocate, and a survivor of sexual abuse as a child and as an adult, to discuss at-home sexual assault kits from a survivor's perspective. Monica Gardner knows firsthand that healing isn't linear, which is why, as a survivor herself, she made the decision to support and empower others who have experienced sexual violence. Listen along as she candidly shares her struggle with PTSD, the importance of therapy during the healing process, and her nuanced perspective on at-home kits in this episode of Just Science. This season is funded by the National Institute of Justice's Forensic Technology Center of Excellence. Some content in this podcast may be considered sensitive and may evoke emotional responses or may not be appropriate for younger audiences. Here's your host, Tyler Raible.

Tyler Raible [00:01:23] Hello and welcome to Just Science. I'm your host, Tyler Raible, with the Forensic Technology Center of Excellence, a program of the National Institute of Justice. Today, we're continuing the discussion surrounding at-home sexual assault kits. To help guide us in the conversation, I'm joined by our guest Monica Gardner, a sexual assault survivor, a Juris Doctor, and a former rape crisis team advocate. Welcome, Monica. It's great to see you.

Monica Gardner [00:01:43] Thank you. I'm excited to be here with you.

Tyler Raible [00:01:46] So, Monica, you're a sexual assault advocate, survivor, and a Juris Doctor. How do all of these roles work together?

Monica Gardner [00:01:52] Well, most people would assume that becoming a Juris Doctor would lead me to becoming a lawyer, but that was never the goal for me. I went into law school to see conflict resolution from a different perspective than how I saw in my undergrad, and that's where I got an intercultural peacebuilding certificate, and I made plans to start my own nonprofit. But in law school, I chose classes that really set me up for success as an advocate as well. Classes like public speaking for lawyers, domestic violence interviewing and counseling, among others. But I think things really took off for me when the MeToo movement erupted. I came out publicly about being a survivor of childhood sexual abuse and having been sexually abused in a romantic relationship while in law school. It lit a fire under me to see so many others having been touched by this evil. From there, I attended a psychosocial class about issues relating to sexual assault weekly for about three years. And during that time, I started to understand that the nonprofit I dreamed of would help survivors like me, and that was really exciting. I took a 40-hour training to become a rape crisis team advocate and volunteered until my health prevented me. Through all of this, though, I sought healing through EMDR therapy, and I continue to deal with post-traumatic stress disorder, insomnia, thoughts of self-harm, anxiety, depression - at times my anxiety makes me feel invincible and at others vulnerable and exposed. Healing for me has been a very long road that I still walk daily.

Tyler Raible [00:03:39] Thank you for sharing all that. Your experience working for the Rape Crisis Center sounds equal parts grueling and rewarding. Could you maybe tell me a little bit more about that? I mean, the 24-hour, a lot can happen in that 24 hours, right?

Monica Gardner [00:03:54] Yeah, I mean, you're basically on call for twenty-four hours. You have a choice between being there for the primary survivor or being there for the support system. And I always took being there for the support system partly, honestly, because I was a little intimidated, but I was able to talk with supporters. I was able to go to hospital calls. So when somebody gets sexually assaulted, they go to the hospital, and they actually call us to come and be there for these people. My first time going, I was so nervous. The guy that I talked to - it was the father of the sexual assault survivor - he said that he noticed that I was nervous and, you know, wasn't really sure why, but I revealed to him that I was a sexual assault survivor. And I kind of talked him through what he could do to be there for his daughter. And it was probably the best first experience I could have had because he really listened well. We had a really deep discussion for maybe two and a half, three hours. And then when his daughter came out, he was so vulnerable with her and so supportive with her, and it was really touching. So to be there for moments like that, it makes it worth all of the hardship and all of the stress. And, you know, sometimes being triggered by the- by the experience, all of it was worth it.

Tyler Raible [00:05:27] I can imagine that it takes a toll on you, but the value in that service, and while we're on the subject of your- of your work in advocacy, I want to know, have there been any other specific moments or events that have really resonated with you over the years?

Monica Gardner [00:05:41] Definitely. So years ago, I actually started a blog about how I grapple with spirituality and religion as a sexual assault survivor. It was something that I was really struggling with weekly as I attended church. And I thought, you know, there's probably other people out there that feel the same way as me. So between that and generally advocating for survivors through social media, I had people coming out of the woodworks to say me too. Some were so close to me and some were people that I never would have guessed. It's been humbling. I attended a city hall meeting focused on how to help survivors and manage prevention of sexual assault, and I was so struck by the strength of people there who told their stories and then explained how they started programs or found work dedicated to those causes. And I was so inspired, and I think it helps me really realize that I wasn't going to be stuck in a hole trying to dig my way out forever, that I could turn from my own healing and help others in whatever way I wanted. More recently, I was invited to speak in a Utah Senate committee hearing about my thoughts on these at-home sexual assault kits, and it was a very stressful experience again, but every moment was worth it. I emailed with some of the senators and my voice was heard, and this podcast will be another hallmark of my advocacy. So thank you for that.

Tyler Raible [00:07:12] We really appreciate all of the different voices that we can bring to the topic, and yours in particular is- is of paramount importance, both as an advocate and as a survivor. Monica, as a survivor, could you tell us a little bit about the importance of supporting other survivors? Your experience indicates the importance, but I'm hoping you can really elaborate a little more on the topic for our listeners at home.

Monica Gardner [00:07:34] I consider this my life's mission. So many times I hear people say your abuse does not define you. And for me, it does. And I don't consider that to be a negative thing. I think because of my experiences, I'm uniquely qualified to walk into the

darkness with someone who's had similar experiences and hopefully bring some light with me, and it's something I think about every day.

Tyler Raible [00:07:59] Well, I can definitely tell in our conversation today and the ones previous that you definitely bring some light with you. So, Monica, you've hinted at it already, and it really kind of drives home the- the main topic of our conversation today, and it's this topic that's emerged possibly because of the pandemic. It's this concept of a sexual assault evidence collection kit that's publicly available and intended for at-home use. It's not associated with a hospital or medical facility. We've been referring to them in this series as an at-home sexual assault kit. So, Monica, in your opinion, what is the major difference between these at-home kits and a sexual assault kit conducted by a sexual assault nurse examiner at a hospital?

Monica Gardner [00:08:39] Yeah, it's a world of difference. In the hospital, a sexual assault nurse examiner goes head to toe, taking pictures of evidence and collecting DNA in an ordered and particular manner while asking about the details of what happened. Everything is recorded. Clothes are collected for future examination. On top of that, survivors are treated for injuries and offered medication like the morning after pill and others to prevent STIs. An at-home kit would be left up to the sexual assault survivor alone, or maybe, hopefully with someone trusted to take a few swabs of obvious areas and just hope that they get it right.

Tyler Raible [00:09:24] So can you give a little background about these at-home kits from a survivor perspective?

Monica Gardner [00:09:29] Yeah. So as a sexual assault survivor, I think it's easy to see the benefits of an at-home kit, especially if you don't know about the process and the resources at the hospital. I mean, imagine you're- you have just been violated completely and then you're asked to undress and recall the trauma in front of a complete stranger. That's probably the last thing that somebody would want to do at that point. You know, they want a hole up and kind of take care of themselves. So completing an at-home kit gives the survivor a chance to go at their own pace and keep from having to explain the complicated thoughts or questions they have to someone that they don't even know.

Tyler Raible [00:10:10] I think you raise a compelling point, and I'm sure there are people who would opt to use an at-home kit instead of going to the hospital. What do you think the appeal might be for a survivor to use one of these at-home kits?

Monica Gardner [00:10:22] I mean, another reason that they might choose an at-home kit is it gives them privacy. It allows them to take their time in deciding, you know, what do I want to do with this experience that I just had. Instead of possibly talking to law enforcement and going about the stressful route of reporting the incident to law enforcement, it allows them to take time to themselves and decide, you know, what is it that I want to do? What do I need right now?

Tyler Raible [00:10:56] Excellent. Thank you. And that actually transitions well to a thought that I've been having, is that I would imagine these- these at-home kits can become a barrier in the criminal justice system. So how would these kits affect something like maybe chain of custody or something else in terms of working with law enforcement?

Monica Gardner [00:11:13] Yeah, this is the biggest key to why I don't support the sale of at-home sexual assault kits. When a forensic nurse collects evidence, it stays with them

until being handed over to law enforcement, whichever branch collects and stores these kits to be tested. If an at-home kit is used, there is no chain of custody or rather no proof that the evidence was collected in a proper fashion and not tampered with. I can already hear defense lawyers' arguments that the victim just wanted revenge, snuck into the perpetrator's house to swab for evidence, or even willingly engaged in sexual behavior to secretly gain evidence. And an at-home kit would not be able to stand up to that argument. On top of that, collecting evidence is not as simple as one might think. And without the sterile environment at the hospital, it's really easy to contaminate the samples - another reason courts have to throw out the evidence.

Tyler Raible [00:12:15] Absolutely, right on. I could see the defense lawyer position almost forming without really a lot of effort. And aside from concerns about chain of custody, could you tell us a little bit about maybe access to advocacy support? How would that be affected by utilizing an at-home kit instead of going to a hospital?

Monica Gardner [00:12:33] Something to really consider is how isolating and devastating sexual assault is. Survivors walk away questioning what they did wrong and how they caused the attack. When I volunteered as a rape crisis team advocate, with every hospital call, a pair of us would go to the hospital to support the victim and their family or support person they brought with them during the sexual assault victim's rape kit. We offered access to grants, free therapy, support groups, but most importantly, a voice to say, I believe you. I'm here for you whatever you need. You're in control now. That is really the first step to start healing and start trusting again.

Tyler Raible [00:13:22] Monica, can you tell me why is that initial support so valuable to the healing process? You know, if this is the- the first step to starting to heal, why is that initial support so invaluable?

Monica Gardner [00:13:33] You know, it took me years and years to understand fully that I had been molested and raped as a child, and it took me months after leaving my abusive relationship to realize the extent of his sexual abuse. Like mine, most of these encounters are nuanced and complicated, not a straightforward, violent, you know, stranger of the night type of thing. I had had moments of opening up to people throughout my life that didn't really go well, and I think that's why it's taken me so long to really dig to the root of the problem. We don't want to waste one moment in validating a survivor and helping them start to heal.

Tyler Raible [00:14:15] And I can imagine that the access to therapy really helps with that. Could you take a second to- to maybe elaborate a little bit on maybe the role of therapy in the healing process?

Monica Gardner [00:14:26] Therapy for me has been life changing. I actually do EMDR therapy - that's eye movement reprocessing and desensitization. It's a trauma-specific therapy, and it sounds a little weird because they kind of- they wave their finger in front of your face or you have these little pulsers that vibrate on one side or the other. But it is a way to kind of fast-track your healing. And I think even if you don't do a trauma-specific therapy, being able to talk to somebody who understands what it's like to be a survivor, somebody who's going to be there just for you. It's funny - I was so independent in trying to take care of myself for so long that the reason I allowed myself to talk in therapy was because I said, this person is paid to listen to you. I had to have that excuse. This person is literally paid to listen to you. Otherwise, I wasn't doing it because I was so worried about becoming a burden to somebody else. But I think as my healing has gone on, I've realized

I'm not a burden to anyone and that anybody that would give me that message is not the right person for me to be around because they're probably just uneducated.

Tyler Raible [00:15:43] Absolutely. And the way you were, you're speaking of this independence and of being a burden actually reminded me that in previous series, we spoke to a survivor and she made the comment that her assault didn't affect just her - it affected her family, her friends, her neighborhood. And we know that, you know, sexual assault impacts more people than just the survivor. Would you be willing to tell our audience maybe a little more in that kind of arena?

Monica Gardner [00:16:08] You know, I remember about 10 years ago, shortly after I moved to Utah, hearing that a girl was raped on a nearby walking trail in the middle of the day. I was terrified. I did not take that route, even though it was a beautiful walking area, and I still will not walk outside any time of the day with both headphones in because I want to hear if someone's coming. I carry mace with me, and I've never been attacked by anyone. All of my experiences of violence have been with people that I've known very well. More importantly, though, I can see from my own experience as a survivor that my relationships with everyone suffers and often still do. For a long time, this is common for survivors, actually, I didn't even trust myself. How was I to trust somebody else? I had PTSD triggers come out of nowhere so often that I holed up in my room and I stopped interacting with others. I still do this today if I'm feeling overwhelmed. You constantly worry that you're a burden to others and try to balance your literal survival at times with not trying to inconvenience someone. My close support system is small and carries heavy weights with me, but eventually you're able to be the strong one at times, and it's a piece of evidence of post-traumatic growth where a survivor starts to move from merely trying to survive to starting to thrive. It was a beautiful thing to see after so much pain and darkness.

Tyler Raible [00:17:45] I really liked the thought of post-traumatic growth. You're right, it is absolutely beautiful to see that transition to thriving, to healing. I do want to jump gears a little bit if that's OK. So for our listeners and for myself, I want to make a clarification. If someone went to a hospital for a sexual assault kit, they can have the exam conducted, get the medical attention they need, have access to advocacy, and then they can make the decision as to whether or not they engage with law enforcement. Is that correct?

Monica Gardner [00:18:16] Yes. I wish every survivor would go to the hospital. Even five days later you could still find evidence in some cases but going to the hospital does not mean you have to jump through all the legal hoops of pressing charges. Now, usually they do have the police come so that you're able to make a beginning statement or something, but then it's up to you at that point, whether or not you pursue it.

Tyler Raible [00:18:42] I do imagine that has to be one of the additional barriers is the level of apprehension, fear maybe, of engaging with the legal system, especially after something so traumatic. Is that fair to say?

Monica Gardner [00:18:54] Yeah, definitely. I would think that when you're still questioning what actually happened to you, when you are still confused about everything, you don't want to do something so serious as go through the legal system. Many survivors I've heard over the years will say, you know, I didn't want to ruin his life. He made a mistake. Survivors are the most forgiving and kind people that I've ever met in my life, and it takes them a while. It took me a while again to realize the extent of the abuse that I encountered, and I think being able to have time to process that is really key in being able

to be a successful person in advocating for yourself through the legal system. And I would add to that that recently, Utah dropped their statute of limitations, which means that a sexual assault survivor doesn't have to come within a year of their assault and bring charges. They have a lot more time to process that. And that's really key because healing and understanding that all takes time, and you want to be able to feel powerful if you're going to have to stand across the room from your perpetrator.

Tyler Raible [00:20:17] We've kind of hinted at the need for- for support and advocacy and its value. Do you think that a lack of, of this support is one of the great concerns surrounding the at-home kits?

Monica Gardner [00:20:30] Yes, I think it's a shame that we don't do enough to help survivors understand what their experience is going to be like at the hospital because really like the forensic nurses that do the exam, they do this so much and they've heard so much from people. They have such empathy for the survivor. On top of that, the advocates in the rape crisis team, they have gone through training that for some people rocked their world view. Some people I saw in my group just really shift to an understanding of how serious this issue is, how prevalent it is, and really find empathy for a survivor. So I would just hope that survivors would go and get the hospital examination rather than the at-home kit, and I would say if, heaven forbid, something happened to me and I was assaulted again, I would go to the hospital without a doubt.

Tyler Raible [00:21:32] Monica, do you think that- that the public has access to the information they need to make an informed decision about an at-home kit versus going to the hospital? And if not, then how do we- how do we address this gap?

Monica Gardner [00:21:44] In a word, no. When I spoke at the Utah Senate Committee hearing on this topic and as I listened to the decision makers debate, it seems some of them were of the mindset of like, what harm can it do? And to be clear, at-home sexual assault kits deter survivors from being in an environment where people can actually meet their needs and would be used to collect evidence that would likely not be admissible in court, therefore, providing false hope of legal justice. They should be banned because of the harm it would cause an already vulnerable group of people. I think if lawmakers are unwilling to ban the at-home kits, then they should be covered on every surface with disclaimers that they would most likely not be admissible in any court proceedings and maybe an explanation of what that means for them.

Tyler Raible [00:22:40] I do think it's important to make sure that people have all the information they need. And from an outside perspective, as somebody who's not an advocate, who hasn't really worked in the field, these at-home kits seem to carry an additional level of risk, specifically when we look at retraumatization or, as you mentioned, the- the impact on the investigation. Would it be fair to say that your opinion is that these- these at-home kits pose a real threat to supporting victims?

Monica Gardner [00:23:06] One hundred percent. It's at best a misguided way of trying to lend support that ultimately only brings harm, and at worst, it's predatory.

Tyler Raible [00:23:17] First and foremost, thank you for sitting down with us to talk today, and I kind of want to talk about the future. So I understand that you want to set up a nonprofit that teaches people who have been through trauma and abuse. You want to teach them how to manage their self-care, along with managing and growing relationships with others. That sounds incredible. Could you tell us a little bit more about that?

Monica Gardner [00:23:38] Yes, it's something that makes me excited for the future every time I think about it. My plan is to start by writing a book to explain the material, and then I'll hold weekly seminars to go through the book chapter by chapter. The idea is that you are or have a tree within an orchard. You need things like sunlight for a greater perspective, rain to healthily express your emotions, self-care to make sure that your trunk is strong and healthy, and then each branch of your tree represents a relationship in your life - everyone from your significant other to the cashier at your favorite store - you exchange fruit with these people with the hope of connection, both the seed in the fruit and the seed which starts each new tree - the hope of connection. There's lots more to it, but that's the main idea. I want to have counselors available and mediators. I have a background in mediation, so I'll be happy to fill in those roles. And the last part of the seminar actually teaches you how to teach the material to your children, so you have a common language to use with them. I want it to be very accessible and hope that the idea will translate across cultures. I also recently decided I want to write a children's book about consent starring my cat, Mr. Munch. He's a pretty traumatized kitty and has actually taught me a lot about consent. I think no one is too young to learn about that idea.

Tyler Raible [00:25:09] Monica, we are unfortunately nearing the end of our time together, and are there any final thoughts you'd like to share with our listeners before we wrap up today's episode?

Monica Gardner [00:25:18] I would want to speak to people who are hearing about sexual assault and say that the real change we need is for survivors to be believed. We need to give survivors the capability and the resources to pursue justice, and they're not going to take up that opportunity if they're hearing at every new telling of their story, you know, that doesn't sound like something that would happen. Are you sure? Things like that. I also want to remind survivors and their supporters to be gentle with themselves. There's actually something called a secondary survivor, and that is where the supporter for a survivor starts feeling the same sort of PTSD symptoms because they care so much about the person and it affects them so deeply. I also want to say that healing is not a linear thing. If you are a survivor and you feel like you're taking steps back in healing, you're having kind of these lost days, which are days of PTSD where you can't function - that's normal, and it's OK, and it doesn't mean that things aren't going to continue to get better.

Tyler Raible [00:26:29] And that's an inspiring note to end on. I'd like to thank you, Monica, for sitting down with me and for sitting down with Just Science to discuss the at-home sexual assault kits and the need to support survivors. Thank you for all the work you do, for taking the time out of your day to chat with me. Thank you so much.

Monica Gardner [00:26:45] Thank you, Tyler. I appreciate being able to speak out on this issue.

Tyler Raible [00:26:50] And for those of you listening at home, in your car, or wherever you might be where you like to ingest podcasts, if you enjoyed today's conversation, be sure to like and follow Just Science on your platform of choice. For more information on today's topic and resources in the forensic field, visit ForensicCOE.org. I'm Tyler Raible, and this has been another episode of Just Science.

Voiceover [00:27:13] Next week, Just Science sits down with Dr. Toni Laskey to discuss her work in child abuse pediatrics. Opinions or points of views expressed in this podcast

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