

# W.T.F.—Wait, That's Fair?

## A Roundtable Discussion

### About the PSA

**W.T.F.—Wait, That's Fair?** uses metaphor to illustrate the injustices that many victims face when reporting abuse or seeking accountability. In the PSA, a young woman is sitting at a diner when food is abruptly thrown at her. When the woman attempts to advocate for herself, she is met with judgment, blame, skepticism, and a complete lack of support. By removing the context of sexual violence, this PSA conveys the absurdity of how our systems treat survivors.

In the companion roundtable discussion, a criminal prosecutor, a civil attorney, and a judge explore the challenges victims face as they navigate justice systems. While all three experts express the need for judicial reform, they each share their own survivor-centered practices, proving that victims can be guided through our imperfect system with dignity and care.

**Legal Language:** In a court setting, individuals may be labeled as “victim” or “complainant,” regardless of how they identify. Meanwhile, phrases such as “delayed reporting” imply that there is a right or wrong way to disclose experiences of harm. Complicating the process further is the legal jargon that is often inaccessible to the average person. Language profoundly shapes experience, and our legal system should use language that empowers rather than alienates.

**Restoring Agency:** Sexual abuse as a category of harm is heavily associated with a loss of agency, power, and voice. The justice system has the power to either restore a survivor's sense of agency or act as yet another oppressive force. By offering choices wherever possible, lawyers, judges, and advocates can help rebuild a survivor's sense of autonomy.

**The Need for Reform:** Judge Rosemarie Aquilina, Doug Fierberg, and Elyse Stolpe exemplify compassionate, survivor-centered justice. But no number of trauma-informed professionals can compensate for a system that is ill-suited to guide survivors. To truly protect and uplift survivors, we must amend the very framework of our justice system.

### Meet the Experts

**Judge Rosemarie Aquilina** Circuit Court Judge & Law Professor

**Doug Fierberg** Attorney, Founder of TFNL Group

**Elyse Stolpe** Senior Assistant Commonwealth's Attorney, Virginia

### Before You Go

Why is unfairness obvious in the context of a restaurant, but so often overlooked in the context of sexual abuse?

What would it mean for every survivor to be supported by someone with the compassion and knowledge of these three experts?

If our current justice system is unfair, who is responsible for changing it?

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### Lessons From the Roundtable

**Trauma-Informed:** From the way police officers conduct interviews to the uninviting atmosphere of courthouses, our legal system is not designed for survivors. When lawyers, judges, and law enforcement officers are trauma-informed, they can better support victims. Beyond educating professionals about the impacts of trauma, we must redesign our systems and institutions to be trauma-informed.

**Civil vs. Criminal:** As a survivor, navigating the civil and criminal legal systems can look very different. Each avenue can offer survivors a distinct type of resolution, with different goals, standards of proof, and timelines. Survivors deserve clear, accessible information about their options—including other reporting processes such as Title IX and SafeSport—to help them choose a path best suited to their needs.

### In Their Own Words

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“The law needs to change on some things”  
(Aquilina, 45:02)

“There's a lot of dialogue about sexual violence [...] that is out of touch with certain realities” (Fierberg, 1:09:55)

“We need more than one way to get to an answer of justice.” (Stolpe, 30:30)

“You matter. You did nothing wrong. The blame lies solely on the perpetrator” (Aquilina, 17:50)

“Winning and losing is not necessarily justice” (Stolpe, 55:42)

“What in your life would have given you an idea as to what's going to happen if you enter the criminal justice system as a survivor or a victim? [...] It's all news to them. (Fierberg, 12:05)