

## **APPENDIX A - AMICI**

The following organizations and individuals have joined this Amicus Brief in support of the reversal of the judgment in favor of Appellant John C. Depp, Jr. against Appellant Amber Laura Heard:

### **National Organization for Women (NOW) Foundation**

The National Organization for Women Foundation is the 501(c)(3) entity of the National Organization for Women and is dedicated to advocating for women's equal rights through education and litigation. *Amber Laura Heard v. John C. Depp* illustrates how perpetrators of domestic violence and sexual harassment, using the courts to threaten defamation, are continuing the abuse. The message for survivors everywhere: Don't speak up, don't tell your truth – because you will be punished. A corollary concern focuses on the implicit and dangerous threat to press coverage. Our First Amendment free speech right is fundamental for both the right of the press to report the news and the right of survivors to come forward.

### **Virginia National Organization for Women (NOW)**

The Virginia chapter of the National Organization for Women (NOW) has thousands of members and supporters in the Commonwealth and is a state chapter of National NOW which was founded in 1966 to take action through intersectional grassroots advocacy to promote feminist ideals, lead societal change, eliminate discrimination, end violence against women, and achieve and protect the equal rights of all women and girls in all aspects of social, political, and economic life. This case has had enormous impact on women and other sufferers causing exponential pain, fear, and re-traumatization. Unmentioned so far is how defamation suits or the threat of them are used as weaponry against employees sharing their stories of sexual assault, domestic violence, or sexual harassment publicly whether inside or outside the workplace often resulting in retaliation and termination. These crimes were already the most underreported in America and the reverberating effects of this trial and its unfortunate outcome has undermined our work fighting to end such violence while encouraging survivors to report to police and employers and empowering them to tell their stories. Once again, the livelihoods of women, in particular, are disproportionately put at risk, their voices quieted as their private sobbing grows more loudly.

## **Virginia Sexual and Domestic Violence Alliance**

The Virginia Sexual and Domestic Violence Action Alliance (VSDVAA) is Virginia's leading voice on sexual and intimate partner violence. VSDVAA is a non-profit network of survivors, Sexual and Domestic Violence Agencies, and allies working to strengthen how communities across. It trains professionals and ensures that Sexual & Domestic Violence Agencies across Virginia meet standards that affirm/safeguard quality responses to survivors. VSDVAA's public policy work builds relationships with key decision makers to strengthen state laws that help make victims safer and hold offenders accountable.

The VSDVAA shares its fresh ideas and effective tools to address root causes of violence, recognizing that violence will always exist where oppression is present. VSDVAA's prevention work promotes healthy communities and relationships so that violence doesn't happen in the first place. We operate the statewide Virginia Statewide Hotline, LGBTQ Partner Abuse & Sexual Assault Helpline, and PREA Hotline (for incarcerated individuals who have experienced sexual violence) and develop resources for Virginia communities. Through our Project for Empowerment of Survivors (PES), we offer trauma-informed legal information, advice, and referrals to callers from Virginia who are experiencing sexual or intimate partner violence, dating violence, human trafficking and hate crimes. We create an inclusive network of agencies, individuals, task forces and caucuses to speak in a unified and powerful voice.

## **California News Publishers Association**

Since 1888, the California News Publishers Association (CNPA) has protected the interests of newspapers throughout the state, from the smallest weekly to the largest metropolitan daily. The mission of the CNPA is to protect and serve the common interests of its newsmedia members, to help members inform and thereby strengthen their communities, and to foster the highest ideals, ethics and traditions of journalism, a free press and the news profession. The California News Publishers Association achieves its mission by engaging in conduct that will

- 1) PROTECT the News Publisher Business;
- 2) ENHANCE First Amendment Freedoms. CNPA shall work to advance the constitutional rights of all Californians to free speech and a free press;
- 3) ENSURE the Public's Right to Know. CNPA shall ensure the civil right of access to information concerning the conduct of the people's business by fighting for strong open meeting, public records, court access laws and the

adjudication of printed and published newspapers as the official source for communicating vital information to the public; and

4) **RECOGNIZE Publishing Excellence and Journalistic Achievement.**

Both parties to this lawsuit are California residents and protecting the First Amendment Freedoms of Californian wherever they are threatened is of concern to the CNPA. The CNPA is further concerned about the chilling effect that a affirmance of the verdict in this case will have on victims speaking out nationwide.

### **Center for Advancement of Public Policy**

The Center for Advancement of Public Policy is a 20-year-old 501(c)(3) chartered in the District of Columbia. Our mission is to promote a just society for all citizens, with a particular emphasis on women. The Center believes that the lower court decision in favor of Depp must be overturned because, if left standing, the ability of victims of domestic violence and sexual assault to speak publicly about abuse will be severely limited, and damaging stereotypes about domestic violence victims perpetrated by the trial and verdict will be reinforced

### **The Purple Campaign and Foundation**

The Purple Campaign and Foundation are partner nonprofit organizations that work together to address workplace harassment by implementing stronger corporate policies, establishing better laws, and empowering people to create lasting change within their own workplaces and communities. A core part of our mission is to provide survivors and allies with the tools and resources necessary to share their stories, which we do through various events like our #MeToo meet ups that serve as an opportunity to connect with others who care about the movement and have a story to tell. The Purple Campaign has successfully advocated for the enactment of stronger anti-harassment workplace protections in Congress and other federal workplaces, in the private sector through its development of a corporate certification program to recognize employers taking steps to address harassment in their workplaces, and in the courts as amicus curiae in various cases implicating workplace harassment issues. As an organization dedicated to empowering survivors, the Purple Campaign has an interest in the chilling effect this case could have on survivor reporting of sexual abuse, assault and harassment – claims which are already vastly underreported – and its potential to open the door for future defamation cases in these contexts, allowing perpetrators to utilize the legal system to silence survivors.

## **Delaware Alliance Against Sexual Violence**

As Delaware's federally designated sexual violence coalition, the Delaware Alliance Against Sexual Violence (DAASV) actively works toward cultivating and sustaining a culture statewide that empowers survivors through their recovery, including mitigating the devastating consequences of stigma around sexual violence. Sexual violence is vastly underreported, with survivors living in fear of retaliation from their abusers. The numbers of rapes reported in Delaware, in which about 1 in 5 women disclose a non-consensual sexual encounter at some point in their lives, are assumed to be significantly lower than the true rate of sexual violence in Delaware due to the pervasive victim-blaming messages and systemic barriers that continue to erode public opinions, like this defamation decision. The decision in the Depp v. Heard defamation trial sends a clear message on a societal level that the court system is siding with abusers – and those who have the financial means to retaliate against victims and survivors. Ms. Heard bravely chose to disclose her experience as a survivor of abuse within an Op/Ed article, only to receive exponential backlash, ending with a lawsuit that led to the internet compiling Ms. Heard's testimony into disparaging and vulgar comments that are still circling the internet. The consequences of this court decision and the subsequent response by society can already be seen nationwide, with survivors suffering in silence and abusers being held unaccountable for their grievous actions. The Delaware Alliance Against Sexual Violence will continue to stand in support of all survivors in Delaware and worldwide, as well as the rights of survivors to publicly speak about experiences of abuse without fear of repercussions.

## **Sexual Violence Prevention Association (SVPA)**

The Sexual Violence Prevention Association (SVPA) is a nonprofit organization (501c3) dedicated to preventing sexual violence systemically. The SVPA is deeply concerned about the implications of the ruling now on appeal. This ruling affects the ability of survivors of domestic violence to speak about the abuse they endured, without fear of judicial reprisal at the behest of their abuser. This ruling gives perpetrators of domestic abuse, already in a position of power over their victim, a powerful tool to not only silence their victim but to drag them through a legal process that can and will revictimize and financially injure their victim. This is especially harmful because the abuse in question can be verifiably true and a survivor of that abuse can still be silenced and punished through civil action instigated by their abuser for speaking publicly about the reality that they endured. In summary, if this ruling is upheld it sets the legal precedent that survivors of

domestic violence that speak out about their abuse are committing defamation against their abusers, even if they do not name their abuser and even if the abuse has been deemed verifiably true in the court of law. Upholding this ruling will allow abusers to silence their victims.

### **Feminist Majority Foundation (FMF)**

The Feminist Majority Foundation (FMF), headquartered in Arlington, Virginia, is a cutting-edge organization dedicated to women's equality, reproductive health, and non-violence. Led by Eleanor Smeal, cofounder and president, FMF's research and action programs focus on advancing the legal, social and political equality of women, countering the backlash to women's advancement, and recruiting and training young feminists to encourage future leadership for the feminist movement. FMF owns Ms. Magazine, which documents the progress of the domestic and global feminist movement and informs readers about the critical issues confronting girls and women. The Feminist Majority Foundation stands for survivors of domestic or sexual violence to speak out about their experience, to be heard and believed and for them to pursue justice through the courts..

### **Dinah**

Dinah is a nonprofit organization that offers confidential domestic abuse case management, legal services, referral management, and educational programming to the Greater Philadelphia region in a culturally sensitive and caring environment. As an organization that helps survivors with legal representation concerning matters of abuse, it is of our highest concern that courts remain steadfast in their protection of the First Amendment. Survivors need to feel protected by the law when speaking out against their abusers without fear of retaliation or legal intimidation. Moreso, as an organization that works with Jewish survivors, we understand the unique barriers Jewish survivors face when speaking out against their abusers due to fear of excommunication in the community and threats of defamation suits. Our work fundamentally crumbles when this precedent is not upheld.

### **Network for Victim Recovery of DC (NVRDC)**

Network for Victim Recovery of DC (NVRDC) provides free, holistic and trauma-informed legal, advocacy and case management services to survivors of crime. As a survivor services organization, NVRDC signs on to this amicus brief to combat harmful rape culture narratives, including myths surrounding false reporting, and

to instead promote a society where survivors of domestic violence and sexual assault can come forward without fear of retaliation.

### **Hire Survivors Hollywood**

Hire Survivors Hollywood is an initiative that is working to end career retaliation against survivors of sexual violence in the entertainment industry by encouraging those in positions of power to pledge to hire Survivors and Silence Breakers founded by actor, writer, filmmaker, and Weinstein Survivor Sarah Ann Masse. The dedicated staff at Hire Survivors are creating a pipeline to create opportunities for survivors- both above and below the line- to find work in an industry that has both overtly and covertly retaliated against them for the harm their abusers have caused. The goal of Hire Survivors Hollywood is for those in positions of power to give a fair chance (auditions, meetings, interviews, opportunities) to those who have been marginalized. By doing so we create a safer, more equitable world; better representation and inclusivity on screen and behind the camera; and encourage those who have faced sexual violence to come forward without fear of damage to their careers. Hire Survivors knows that if survivors of sexual violence who have yet to speak up see those who have already come forward being punished for telling the truth, it will make them less likely to come forward, which saddles them with the burden of silence and makes the industry less safe for everyone.

### **Safe & Together Institute**

The Safe & Together Institute, based in Connecticut, is a global systems change organization whose mission is to create, nurture and sustain a global network of domestic violence-informed professionals, communities and systems. We are particularly focused on domestic violence where children are impacted. The verdict against Ms. Heard will make it harder for survivors to come forward seeking assistance, which in turn will increase harm to children. This decision also empowers perpetrators and their ability to manipulate courts and systems with significant potential impact on child safety in custody and other court matters.

### **Chicago Alliance Against Sexual Exploitation (CAASE)**

Chicago Alliance Against Sexual Exploitation (CAASE) is a not-for-profit that opposes sexual harm by directly addressing the culture, institutions and individuals that perpetrate, profit from, or support such harms. CAASE engages in direct legal services, prevention education, community engagement, and policy reform.

CAASE's legal department provides advice and representation to survivors of sexual violence. On behalf of its individual clients, and in support of its overall mission, CAASE is interested in seeing that laws and precedent related to gender-based violence do not create a chilling effect for survivors who choose to report their assault or speak out about abuse.

### **Survived & Punished**

"Survived & Punished (S&P) is the nation's leading advocacy organization calling for an end to the criminalization of survivors of domestic and sexual violence. Through partnering with survivors who have been criminalized, S&P uses legal support, research, and policy advocacy to enable the freedom of incarcerated survivors. S&P also produces educational resources to raise awareness about the integral relationship between systems of criminal punishment and the pervasiveness of gender-based violence. Although Ms. Heard's trial was a civil case, the precedent it sets will likely intensify the criminal punishment of survivors, particularly those with less access to legal and financial resources. The decisions made in Ms. Heard's case undermine survivors' credibility within the judicial system and will have a chilling effect on their ability to tell their stories without retribution. Bias against survivors throughout the judicial system has been a key contributing factor to both a pattern of criminal punishment as well as devastating social blame throughout their communities.

### **Systemic Diversity & Inclusion Group**

Systemic Diversity and Inclusion Group is an organization in Maryland that is committed to equality and protection of human rights, especially for those who are often marginalized and mistreated in almost all aspects of the system. We, therefore, have an interest in the outcome of this case. It's our position to support those whose rights are often not protected in our society, and we would like to read and learn more about fair judgment in this case to reflect our organization's quest for peace, equity, and social justice for all.

### **MeToo Many Voices Movement**

MeToo Many Voices Movement Community Support Network is managed in Virginia for survivors and supporters of survivors offering survivor-led peer support, consent and trauma education, community resources, virtual events, and one-of-a-kind informative graphic artwork speaking to the survivor experience. Before MTMV, the founder worked for decades in the tv/film industry, and has

created and facilitated trainings on Building Online Communities for Survivors on behalf of the North Carolina Coalition Against Sexual Assault (NCCASA). As a trauma-informed consultant and victim advocate, she provides additional training and support to a variety of businesses and organizations. MeToo Many Voices believes that it is important that all survivors, including Amber Heard, are supported and given resources to proper care.

## **Four4Consent**

Four4Consent services abuse survivors from nightclubs, including those owned by actors, in the entertainment and music industries. They educate on how to engage peers, support survivors, ask for consent and bystander intervention. Four4Consent provides trauma informed services to survivors of sexual violence. They interact with many kinds of professionals (nurses, law enforcement, and other emergency response personnel). Oftentimes the survivors they work with identify as surviving multiple forms of trauma and victimizations. Their clients have included survivors of intimate partner sexual violence, non-intimate partner sexual violence, and human trafficking. They help event organizers and venues create a safer and more positive nightlife culture, where all people are free to be themselves, without experiencing discrimination or violence. Four4Kay uses training, education and experience for a program to fit the industries where people spend time including with home-music and nightlife. Four4Consent believes that people should feel comfortable, respected and safe whether that is at a bar, venue, festival or even just with content in their own homes.

## **Beth Rasin**

Beth Rasin is the President and Executive Editor of The Chronicle of the Horse (TCOTH), the preeminent equestrian magazine in the United States since 1937 which is based in Middleburg, Virginia. Ms. Rasin, a graduate of Middlebury College, is a seasoned editorial director with 25 years of experience dedicated to finding and telling stories that matter. As executive editor, Beth oversees the content of all Chronicle products, including its online presence. While Editor at TCOTH, the magazine has published articles of interest to the equestrian world, including revelations regarding sexual abuse of minors by respected trainers at the highest levels for which the COTH was threatened with claims of defamation. Defamation law in Virginia has a profound impact on Ms. Rasin's ability to print articles in TCOTH regarding important current issues.



## **Laura Richards**

Laura Richards was for a decade a New Scotland Yard criminal behavioural analyst and a renowned international expert on domestic violence, stalking, sexual violence, homicide and risk assessment and then became the violence adviser to the National Police Chiefs Council (NPCC). Trained at the Behavioural Analysis Unit, National Center for the Analysis of Violent Crime at the FBI and New Scotland Yard, Laura has applied her psychology degrees to analyze violent crime from a behavioural and preventative perspective. Laura has a BSc in Psychology and Sociology and an MSc in Forensic and Legal Psychology, and with a background in intelligence-led policing, has been the architect of law reform to better protect victims, spearheading law reform on stalking and coercive control in England and Wales and more recently the United States and Australia, winning numerous awards for her pioneering and life-saving work. Since the verdict in the Depp v Heard case, Ms. Richards has witnessed serious and wide-ranging consequences in her work with women who are fearful to disclose domestic abuse, sexual abuse and coercive control. These women were already frightened and fearful before, but now even more so. Ms. Richards believes that the verdict sent a clear and chilling message to victims of domestic abuse and coercive control.

## **Leslie Morgan Steiner**

Leslie Morgan Steiner is a New York Times best-selling author, columnist for The Washington Post and other publications, women's empowerment expert, successful corporate executive – and domestic violence survivor. In 2001, she became General Manager of the 1.1 million-circulation Washington Post Magazine, a position she held for five years. She is a frequent speaker and consultant on ending family violence. She serves as an emeritus board member for the One Love Foundation, in honor of slain University of Virginia senior Yeardeley Love, and the National Advisory Council for the Conference on Crimes Against Women. Her latest memoir, *The Naked Truth*, explores female sexuality and self-esteem. Leslie was a victim of abuse herself. Ms. Steiner believes that this ruling has had a chilling effect on all victims, silencing us and discouraging us from seeking protection from law enforcement and justice in the courts. This is what Amber Heard did: she spoke out about becoming a public face of domestic violence in an essay lobbying for victim support services.

## **Dr. Adrienne Barnett**

Dr. Adrienne Barnett's area of research is domestic abuse, the family courts, and more recently parental alienation. She has published widely and presented papers at numerous academic and professional conferences in the UK and abroad. She is a member of the Advisory Group of Rights of Women, an external member of the Cafcass Research Advisory Group, a core founder member of SHERA Research Network, a member of Hague Mothers (a FiliA legacy project) and lead for the UK of its steering group, and a member of the Advisory Group of SafeLives Domestic Abuse Training for Lawyers. Dr. Barnett has been active in policy change and professional training in the area of domestic abuse and family court proceedings. Reader in Law, Undergraduate Programmes Lead at Brunel University London.

## **Julie Owens**

Julie Owens is a survivor of domestic violence who has worked in the field of violence against women and women's empowerment since 1989. She has founded a hospital DV crisis response team, a transitional shelter, advocacy groups and training programs. She has worked with trauma survivors and addicted survivors, and was a research co-investigator, project director and trauma therapist on studies at the National Center for PTSD. Julie trains professionals widely and has served as an expert witness in both criminal and civil cases regarding domestic violence and domestic violence-related post traumatic stress disorder (PTSD). She was a Site Coordinator for the Lily Endowment-funded RAVE project (Religion And Violence E-learning) during its five years of initial development. Her extensive work with the State of North Carolina Department of Administration, North Carolina Council for Women, involved oversight of numerous domestic violence, sexual assault and economic empowerment grant programs. She monitored grants, developed grant guidelines, trained non-profit boards, consulted and trained about best practices for working with victims and survivors, built collaborative initiatives and partnered with professionals in many disciplines.

## **Dr. Jessica Taylor**

Dr. Jessica Taylor is a Chartered Psychologist, PhD Forensic Psychology, Director of VictimFocus, Sunday Times Bestselling Author, speaker, and researcher. She has worked in domestic abuse criminal cases to prepare and support women and girls before giving evidence. Her roles included service and area management of vulnerable and intimidated witness programmes, victim support services, management of rape centre services and therapist training, and management in

research and training in child sex trafficking and child sexual exploitation services. She created the BOWSVA Scale, a validated psychometric which has the ability to measure victim blaming attitudes of women subjected to sexual violence and abuse. Dr. Taylor set up VictimFocus to focus on the experience, rights, and traumas of the victim to place them at the heart of every intervention, service, resource, training course or campaign. VictimFocus is a leading research, training, and consultancy with 6.1 million readers and subscribers. Dr. Taylor's resources are being used in 70 countries. VictimFocus has trained over 30,000 professionals and provided free sexual violence and trauma education to over 50,000 members of the public subjected to sexual abuse. VictimFocus works to change the way professionals and the public understand, perceive, and discuss victims of abuse, trauma, and violence. VictimFocus has worked with hundreds of large and influential clients to challenge victim blaming, poor practice and pathologisation in policing, social care, and education. Dr. Taylor has inspired several top universities to change their own methodological approaches to VAWG studies.

### **Dr. Charlotte Proudman**

Dr. Charlotte Proudman is an award-winning barrister with an extensive practice in complex trials and appellate cases, often encompassing novel points of law. Dr. Proudman is an advocate for survivors and victims who have suffered male violence against women. She has represented and advised high-profile public and political figures. Charlotte has been shortlisted for 'Case of the Year' at the Family Law Awards 2022 for representing Kate Griffiths MP, a victim of rape, abuse and control in a landmark judgment which was one of the first family law cases where the victim's name was published with her permission. Ms Griffiths MP argued that preventing her from speaking about rape and domestic abuse is another form of control and coercion perpetrated by the courts. Some of Charlotte's ground-breaking cases include representing a victim of rape in the first case that defined gaslighting as domestic abuse, and being instrumental in defining coercive and controlling behaviour as domestic abuse and harmful to women and children survivors. Combining the law and academia, Charlotte is a Research Associate at the University of Cambridge where she teaches and writes about gender inequality under the law. She is a legal advisor to Our Streets Now and Plan UK, a campaign to criminalise public sexual harassment. In partnership with Good Law Project, Charlotte is founder and director of 'Right to Equality', a campaign organisation that uses the law to protect and further the interests of women and girls.

Dr. Proudman has noticed that "Heard" has become a derogatory term to describe women who allege domestic abuse and are automatically labelled liars. She has

heard people say to victims, “she’s pulling a Heard,” meaning she is exaggerating or lying about rape or abuse. Dr. Proudman believes that the derogatory manner in which Heard was treated will have a profound impact on how victims are viewed in the legal system in the future.

### **Dr. Christine Cocchiola**

Dr. Christine Marie Cocchiola, DSW, LCSW is a Coercive Control Advocate, Educator, Researcher & Survivor. She is a full time college professor teaching social work for the last 20 years in the CT State Colleges and Universities System. Her expertise is in the areas of coercive control and the traumatic experiences of both adult and child victims, developing and presenting workshops on these topics both nationally and internationally. Dr. Cocchiola, a Founding Member and Steering Committee Member of the International Coercive Control Conference and a Board Member of the National Coalition Against Domestic Violence has actively supported codifying coercive control, including Connecticut’s Jennifers’ Law, and has written several policy briefs supporting these efforts. She is the creator of the Protective Parenting Program, guiding protective mothers on their journey towards healing their children. Based upon the many victims with which she has worked, Dr. Cocchiola recognizes the Coercive Control by which Depp tried through psychological abuse such as manipulation, intimidation, gaslighting, and often times isolation, to control Ms. Heard.

### **Shari Botwin**

Shari Botwin, LCSW, has been counseling survivors in recovery from all types of traumas and assault in her Cherry Hill, New Jersey private practice for over twenty-five years. Her second book, “Thriving After Trauma: Stories of Living and Healing, Rowman & Littlefield,” (Rowman & Littlefield, November 8, 2019) deals with overcoming trauma including physical and sexual abuse, war-related injury, loss due to tragedy or illness and natural disaster. Botwin has conducted Keynote presentations for CE credits for Advanced Recovery Systems, Stockton University, Rutgers University, Monte Nido Eating Disorders Center, International Association of Eating Disorder Professionals, Complex Post-Traumatic Stress Organization, Hofstra University, and Bay Path University. Botwin served as an advocate and writer during both Cosby trials. Botwin spoke to several clients and survivors during the Depp vs. Heard trial that said things like, "Now I'm more afraid than ever to come forward. What if I get sued for speaking the truth? Where

is the protection for victims of these kinds of crimes?" According to Botwin, the verdict in the *Depp v. Heard* has the chilling effect of shutting down not only the victim in this case, but creates fear in other victims as well.

### **Lisa Sales**

Lisa Sales is the President of the Virginia Chapter of the National Organization for Women and a Member of the Fairfax County Council to End Domestic Violence. Ms. Sales has seen that from the courtroom to the boardroom, American institutions are creating conditions for survivors to be fearful to talk about what happened to them openly. She did so and was fired last year from her decade-long job at one of the nation's largest global defense companies. Ms. Sales believes that there is no doubt that the way Heard was mistreated online during the trial, which happened in her backyard and has had a chilling effect on women and other vulnerable populations in Virginia, and indeed nationwide. As a survivor, she believes it is critical that judges making decisions in the lives of survivors be mandated to take continuing legal education in trauma-informed handling of sexual and domestic violence. Ms. Sales considers it to be unfathomable that two cases (one in the U.S. and the other in the UK) had very different outcomes because all the evidence was not permitted to be presented in the Fairfax County court; for all these reasons, she believes, this judgment needs to be reversed.