

#WAY I DIDN'T REPORT DOCUMENTARY



LOGLINE

In the wake of the #TimesUp and #MeToo movements, there has been an undercurrent of questions asking 'why did they wait so long to say something?' By confronting the 'why now' dialogue, we gain an understanding of the full gamut of repercussions that have been silencing victims – until now.

The Red List by Coverfly - #7 in Feature Documentaries of the Year
Screencraft Film Fund - Second Rounder

#WhyIDidntReport

CONCEPT

'#WhyIDidntReport' is not just another #MeToo-themed documentary. Where other docs focus on the assault itself, our doc focuses on the many different factors that play into the decision not to report.

If you've ever asked, or even thought, "Why did they wait so long to come forward?" this is the film to set you straight.

It will make you question whether you really wanted to know the answer, or if you were just subconsciously undermining the credibility of the victim in order to make your world feel just that little bit safer.

SCOPE OF THE FILM

- Victim interviews exploring why they kept silent at the time, and why they have chosen to speak up now. Explores a full gamut of experiences and potential repercussions for survivors of sexual harassment and assault. Discussion of if they would do it differently if they had their time over.
- Interviews with survivors who did choose to speak up and how the repercussions of that have affected their lives. What the rape kit process was like in addition to their experience with the legal system and if there were any consequences for the perpetrator. Would they report again if they had their time over?
- Exploration of the wider cultural and societal factors that can influence a survivor's decision of whether or not to report: media coverage for similar stories, news headlines, social media trolls, judicial system, statistical outcomes, political climate, 200,000 untested rape kits in the U.S., etc.
- Interview with behavioural psychologist discussing the emotional toll that going public can take and how victims will try to cope and normalize the situation in silence. Discussion of how cultural and wider societal factors play into the decision-making process.
- Interview with legal expert discussing how solidarity has led to so many women gaining the courage to now speak up. What the process looks like when they do decide to pursue legal action. What the outcomes realistically look like.
- Camera crew follows the journey of one sexual assault survivor and her journey of breaking this story to her family and the stress and emotional turmoil that comes with this experience.

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STATUS – In Development (seeking production funding)

Over the past 18 months we have built a community of survivors who are passionate about the need for this documentary, and specifically for this particular dialogue to be addressed. There are a plethora of #MeToo-related resources, but none of them are exploring this aspect of the movement.

- 522 survivors of sexual assault from around the globe surveyed - demographics of victims and perpetrators recorded, as well as individual rationale around reporting
- 41 people willing to be interviewed on camera. Dozens more willing to provide anonymous interviews, soundbites, written accounts
- 46 people pre-interviewed for documentary
- 15 people shortlisted as potential primary documentary participants/interviewees (US-based)

DIRECTOR'S STATEMENT

When the #MeToo movement went viral in October 2017, it was an overwhelming awakening for the world about just how widespread the problem of sexual harassment and assault is. Women, and men, were standing up in solidarity and telling their stories. It was a very triggering time for many people who had buried their experiences and were now faced with remembering what they had suffered.

I too, drafted my own #MeToo status, but was paralysed by the thought of actually posting it and having that be out there for my family, friends and all the world to see. So when I began to see all the questions about why women never said something at the time, and the discrediting tone this dialogue took on, I took it personally and quickly realized that there must be many other people feeling the same way as me, and wanting others to understand how hard it really is.

Addressing the reasons why people stay quiet is the piece of the conversation that has not yet been included in the worldwide discussion, and plays such an important role in helping the people who have not yet found their voice to feel supported in their decision of if and when to tell their stories.

#MeToo

Numerous times.

In varying degrees.

Over two decades.

Too many stories to recount, and some I'm not willing to. Just writing this is hard enough.

I'm not a victim, and I'm not a survivor. I refuse to be labelled or defined by another person's unacceptable behaviour.

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SAMPLE CASE STUDIES

Survey participants are from all demographics, genders, races, age brackets, sexual orientations.

SURVIVOR #1

“In a violent marriage, the threat of death overrides seeing it as rape.”

Survivor #1 was repeatedly raped by her father from when she was very young until she was a teenager. She developed a **dissociative memory disorder**, which kept her from remembering this abuse until she was an adult and her father was 97 years old, on his deathbed.

As a result of her memory disorder, she suffered dissociative seizures all her life, which were incorrectly diagnosed as epilepsy from the ages of 14 to 40.

At 19, she got pregnant to her boyfriend and married him. This marriage became very violent and sexually abusive, however as her primary concern was keeping herself and her child alive, **it didn't occur to her that this was sexual assault**. Her therapist believes this unsafe relationship caused the suppressed memories of the long-term sexual assault suffered at the hands of her father to resurface. She felt some level of closure in being able to confront him before he passed away.

Survivor #1 has attempted suicide numerous times, suffered with drug addiction, and been diagnosed with complex chronic PTSD. She has also undergone brain surgery to treat her seizures.

Through therapy, a new loving marriage and a relationship with God, she has been able to turn her life around. She now coaches women who have survived sexual assault, and believes there needs to be a shift in where the feeling of shame is placed. Only 3% of women who have been repeatedly abused will thrive in life, the other 97% end up dead, in jail or on drugs. She wants to tell her story to improve these statistics.



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SURVIVOR #2

“I feel emboldened by the #TimesUp and #MeToo movements to speak out.”

Survivor #2 was raped on two separate occasions in the '90s when she was in her early 20s. She immediately felt that the blame was 100% hers and, because she had a partner at the time, **felt she would be seen to have cheated**. Both assaults were perpetrated by strangers whilst on vacations, in Mexico and Miami; Both times she had been in crowded clubs and had been drinking.

The assault in Miami occurred when she decided to go home because she was too drunk. A man followed her and got in the cab with her. The cab driver offered no assistance. When they got back to her hotel, she was so intoxicated she could barely walk, to the point where the man was holding her up. Hotel staff who witnessed this, and him pushing her into the elevator, didn't offer any help either. She **wishes that someone would have intervened** and asked if she was okay.

Five years ago, she finally confided in a friend, still feeling like she had cheated. Her friend assured her that it was rape. Only two years ago, she felt able to share her secret with her husband.

It wasn't until the 2016 election that she actually began wanting to speak out. With a tsunami of events triggering in her the need for change: Harvey Weinstein, Matt Lauer, the Brock Turner incident happening only two miles from her, and Christine Blasey-Ford living just across the street from her, Survivor #2, now realizing that her attackers sought her out, couldn't escape the reality of the world we are living in. Now, in her 40s, she feels emboldened by feminist movements and wants to have her voice heard.



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SURVIVOR #3

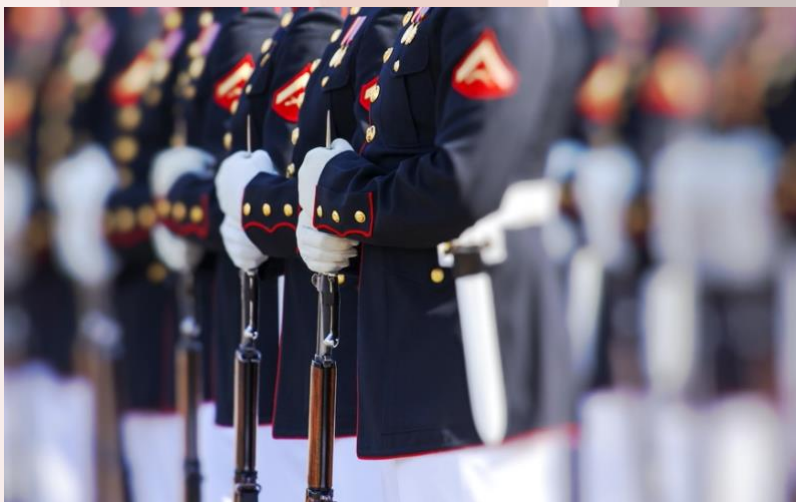
“If I knew what I would have to go through, at the time, I probably wouldn’t have reported. But now that I am on the other side of it, I’m glad that I did, because now I’m in a position to help other survivors.”

Survivor #3 was raped by a colleague while she was in the [Marine Corps](#). She **immediately reported** it to her base, as is the procedure (police do not handle these matters). Both male and female commanding officers yelled at her and called her a liar. After being ordered to stay in her quarters all weekend, she was then sent to Quantico for a polygraph with the FBI – which she passed. She is unsure if her attacker also had to undergo a polygraph, but when she saw him on base months later, his rank had been demoted.

Because her attacker was married, she was charged with adultery and lying, in spite of her successful polygraph. She was also demoted and lost pay. She was given the highest non-judicial punishment the marine corps can implement and was confined to her quarters for three weeks. Then came the repercussions from the chain of command...

Survivor #3 married another marine, but whilst he was deployed, she suffered **reprisal attacks at the hands of other marines** who would break into her room at night and assault her – one time while she was six months pregnant. After the second time, she stopped reporting the attacks because her superiors just called her a liar and she knew it would only bring further retaliation.

Eventually the marine corps ‘medically retired’ her, claiming she had a personality disorder, which is classed as a pre-existing condition. This meant she lost access to her retirement and benefits. But she didn’t give up. She took her case all the way up, **speaking before Congress, SCOTUS and the United Nations**, eventually proving her sexual assault and harassment, receiving an apology, as well as gaining all of her benefits back. For the past decade now, she has been counselling survivors on their options and providing support for their decisions.



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SURVIVOR #4

“I feel guilty that he might still be doing this to other people.”

Survivor #4 has endured two isolated incidents of sexual assault. When she was 12 years old, she was assaulted by her friend’s older brother at a sleepover. She was afraid to tell anybody but confided in her boyfriend after a week of him repeatedly asking her what was wrong. He convinced her to tell her mother, who broke down and became an emotional wreck. As a result, when her mother asked her if she wanted to report it, she said no. Being part of the **Orthodox Jewish community**, she was taught never to talk about anything to do with sex, and that women should be deferential to men. When she got older, she realized, through confiding in other friends, just how commonplace sexual assault is within their culture. The girls are taught that if they speak out, they will be ‘tainted’ and that their prospects for marriage will be limited as a result. In hindsight, she believes her mother should have taken control of the situation and reported it. She feels like this incident was completely swept under the rug.

The second assault occurred when she was 17 years old. It was one of the first times she had ever smoked marijuana, and she got really high and passed out in the living room of a friend’s house. When she woke up, she was in the bathroom and one of her male friends was pulling down her pants. This snapped her back to sober and she stopped him and left the party. When she told her friends about the incident, she was told he is known for assaulting girls. He started spreading rumors that he’d had sex with her. She responded by telling people the truth - that he had actually tried to rape her while she was passed out. Because her childhood experience **taught her from an early age that this just happens** – that you need to deal with it and move on - she’s never even considered reporting it.



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SURVIVOR #5

“It takes a village to help save people from abuse. It can only be done in numbers.”

35 years ago, Survivor #5 was sexually assaulted by her brother’s friend when she was in her early 20s. He admitted to the crime and that he had ejaculated during the incident. He said that he was high, and because there was no penetration, he didn’t think he was doing anything wrong. The police agreed and let him go.

Years later, Survivor #5 worked in blood collection for law enforcement, drawing the blood of suspects. This role involved close contact with the **police force**, and one particular officer began sexually harassing her. He would describe vulgar acts that he wanted to do to her. After 5 months of escalating harassment, she finally reported him. **She was afraid because he carried a gun**, and she feared that he would run her plates and find out where she lived. After another officer reported that he was worried the harasser would kill her, internal affairs became involved. He was married and claimed they were having a consensual affair. He began acting aggressive and waiting for her outside of the stations she was called out to. When supervisors saw the footage of his actions, he still received no consequences, even though it was revealed at trial that he had 18+ citizen complaints against him.

The trial went on for eight years and went all the way up to the **Supreme Court** where it **changed case laws** and determined that Survivor #5 was allowed to sue the police department for negligence in providing her with a safe work environment (Kimberli Hirst vs Oceanside Police Department). She was awarded \$1.5 million in damages.

Today she is the mother of six children. At 11 years old, one of her daughters was gang raped by six boys the first time she was left home alone. They beat her and set the house on fire to try to destroy the evidence. Survivor #5 reported it but dropped the case when she could see that the court system was not protecting her child.



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STATISTICS

- Every 73 seconds, an American is sexually assaulted.
- Only 230 of every 1,000 sexual assaults are ever reported to police.
- Only 5 out of every 1,000 perpetrators will end up in jail.
- 90% of adult rape victims are female.
- 82% of all juvenile victims are female.
- 1 in 6 American women is the victim of an attempted or completed rape.
- About 3% of American men (or 1 in 33) have experienced an attempted or completed rape in their lifetime.
- 1 out of every 10 rape victims are male.
- American Indians are twice as likely to experience a rape/sexual assault compared to all races.
- **8 out of 10 rapes are committed by someone known to the victim.**



DIRECTOR/PRODUCER - Alana de Freitas

Alana de Freitas is an Australian-born multi-hyphenate filmmaker and actress based in Los Angeles. In 2017 she founded her production company, ADF Productions.

Alana produced the short film, *INFIDELITY* in early 2017 which was also her narrative writing debut. The film was selected as a finalist for Los Angeles CineFest.

Prior to this, Alana had produced numerous narrative short films in addition to a 12-episode internet lifestyle program, *LIFEFUNK TV*.

BEFORE THE DAWN was de Freitas' first feature-length screenplay, and she also produced and starred in the film. The film is available on Amazon Prime, Tubi, YouTube Movies, Roku and Google Play, and it has collected 17 festival laurels, including two Best Picture wins and a Best Producer award. It was also awarded the ReFrame Stamp by Women in Film and the Sundance Institute for its gender parity both in front of and behind the camera.

In 2018, Alana wrote and produced a short film called *NANCY*, which also marked her directorial debut. '*Nancy*' has accumulated 14 festival laurels (and counting), including the Grand Jury Prize for Best Dramatic Short Film at the Sherman Oaks Film Festival, Best First-Time Director at the New York Film Awards and Best Screenplay at the International Independent Film Awards.

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Most recently, Alana was selected by the Women's Weekend Film Challenge to produce a short film over the course of a weekend. *FOR LIFE* was made by an entirely female-identifying cast and crew. It has just begun its journey on the festival circuit but has already won Best Short Film at the Vegas Movie Awards and the International Independent Film Awards.

In addition to the *#WHYIDIDNTREPORT* documentary, Alana is in development on the supernatural horror/thriller feature, *STAY AWAKE* which she wrote. The screenplay was a semi-finalist at Los Angeles CineFest and a quarterfinalist in the Screencraft Horror Screenplay Competition.

Alana is committed to championing women and underrepresented groups within the entertainment industry, both on and off screen, and she has proudly been selected to participate in the 2020 Women in Film Mentoring Program.

www.adf-productions.com



PRODUCER - Djaka Souaré

From African and French descent, Djaka Souaré is a bi-coastal director, producer and actress now based in the U.S. Her short film *JAZZ IN WAKANDA* was an Official Selection of numerous film festivals, including Urban World, NiteHawk shorts & NewFilmmakers Los Angeles.

Djaka worked at Goldcrest and Saboteur in both documentary and narrative films for three years, overseeing projects from financing to casting. She was a producer on the Sebastian Junger and Nick Quested *National Geographic* documentary *HELL ON EARTH* that premiered at TriBeCa in 2017 and received a DuPont Award; and on *I WANT MY MTV* that opened at TriBeCa in 2019.

Djaka was selected by the Women's Weekend Film Challenge to direct one of six short films. *FOR LIFE* was created entirely by womxn and was featured in a filmmaker panel hosted by AbelCine.

A fierce human's rights advocate, fighting for representation of minorities and the African diaspora across all media, Djaka has several projects in development, all celebrating diverse voices and multi-dimensional characters. Djaka is a Women in Film member and has been selected to participate in their 2020 Mentoring Program.

www.metootimesup.org