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SEXUAL ASSAULT:

AN OVERVIEW

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## SEXUAL ASSAULT: AN OVERVIEW

### Introduction

Incidence surveys reveal that one out of every four women will be raped or sexually assaulted at least once in her lifetime. There were 1.5 million sexual assaults in the U.S. reported to the National Crime Survey between 1973 and 1982. The incidence of sexual assault is also high. In 1985, an estimated 87,340 forcible rapes--one every 6 minutes--were reported, representing a 4 percent increase from the previous year, according to the FBI's 1985 Uniform Crime Report.

Rape is one of the most frequently committed violent crimes and its incidence is steadily increasing. Hand-in-hand with the rising incidence of sexual assault is the rising fear among women of such victimization. A study of perceptions of violent crime among residents of Seattle, Washington, reported that all women fear rape, especially those under 35, who report that rape is more terrifying than any other crime, including murder, assault, and robbery.

Such fear is not necessarily misplaced. It is believed that perhaps twice as many criminal sexual assaults occur as are officially reported. Also, official tallies do not reflect the number of deaths as a result of rape; these deaths are reported as murders. However, an analysis of the 1984 FBI Uniform Crime Report speculates that perhaps 22.1 percent of the murders committed that year were sex-related, representing a 160 percent increase in such murders between 1976 and 1984.

### Rape Myths

Despite the prevalence of sexual assault in the United States, a number of misconceptions surround this crime and its victims. Some of the most common myths include:

1. Rape is a crime of passion. The notion that the rapist is controlled by overwhelming lust is far removed from the reality. Psychologists have found that the motivation behind sexual assault is most often the need to dominate and control, rather than the inability to control sexual urges. Rape is primarily an act of power and aggression, with the sexual aspects taking a secondary role.

2. Women who are careful don't get raped. Rapes occur in a variety of places and situations during any hour of the day or night. According to the Bureau of Justice Statistics, 35 percent of all rapes occur in or near a victim's home, and there are incidences of rape in offices, schools, and other work locations. While there are certain preventive measures women can take, even the most cautious women are not perfectly safe.

3. Rape is impossible if the woman really resists. Most victims resist sexual assault in some way, but the rapist usually has the advantage of surprise and strength. Physical force is used in 85 percent of all reported rapes, and 25 percent of victims are threatened or attacked with a dangerous weapon. In addition to the sexual attack, more than half are physically assaulted, receiving some injury. Such injury was more likely if the victim resisted.

4. Women secretly want to be raped. There is a difference between romantic fantasy and brutal, violent reality. There also is a difference between the fundamental right of choice in one's fantasy and the loss of control as a victim of sexual assault.

5. The rapist is usually a stranger. Expert opinions vary. According to the Bureau of Justice Statistics (BJS), a woman is twice as likely to be attacked by a stranger than by someone she knows. However, sexual assault by an acquaint-

tance or "date rape" is a serious and largely unreported occurrence. In a survey sponsored by the National Institute of Mental Health (NIMH), 6,159 college students at 32 schools nationwide were interviewed and reported that 84 percent of the victims of completed rapes knew the offender, most often (66 percent) as a date. Of these victims, 95 percent did not report the crime to the police. Similarly, the incidence of marital rape, as a form of domestic violence, goes largely unreported.

6. Women invite rape by dressing or acting seductively. There is little correlation between physical attractiveness and the likelihood of becoming a victim. To believe that a woman "deserves" to be raped is to say that a wealthy-looking man "deserves" to be robbed.

7. If rape is imminent, the woman should relax and enjoy it. This may be a fatal belief, according to interviews with murderers who sexually molested their victims. These offenders report that the victim's compliance or non-forceful resistance were not deterrents to the murder, with survivors being those who forcefully resisted. Even in sexual assaults without homicidal intent, it is unreasonable to expect a woman to enjoy involuntary participation in a violent, terrifying crime.

8. Women "cry rape." The reality is that sexual assault is perhaps one of the most underreported crimes in relation to its actual incidence. BJS found that only about half of the victims of rape or attempted rape surveyed between 1973 and 1982 reported the crime to the police. Various other surveys also found that a vast number of sexual assaults go unreported, with even higher percentages of victims not reporting. In general, victims of "classic" rape, i.e., violent attack by a stranger, are more likely to report the crime than women raped by men they know, at home or in social settings. Thus, the notion that "a woman scorned" will hurtle false rape accusations, considering the tend-

ency of victims not to report out of shame or despair, is unlikely to be true.

#### Impact of Rape

The consequences of sexual assault for victims and their families and friends are profound. While any form of victimization is stressful, rape takes a particularly devastating toll on the self-image, sense of independence, and overall emotional well-being of its victims long after any physical injuries have healed.

The Rape Trauma Syndrome describes the emotional, psychological, and social impact of sexual assault:

- o In the period immediately following an assault, victims may respond by expressing fear, anger, and outrage or by adopting a controlled style of response, exhibiting little visible reaction. Despite outward appearances, this latter coping style does not reflect the victim's inner turmoil in the wake of the assault.
- o During the first few days and weeks after a sexual assault, the victim may also experience acute physical symptoms. These include soreness, especially in the stomach, throat, arm and legs. Muscle tension often results in disturbances in sleep patterns, including problems getting to sleep, crying out at night, and mumbling during sleep. Generally, victims may feel distressed, irritable, and jumpy. Loss of appetite is also common.
- o Initially, victims experience a sense of disorganization in which their lifestyles are disrupted by the rape crisis. Emotionally, fear dominates, but shame, humiliation, degradation, guilt, anger, self-blame, and revenge are common. Given the intensity of these feelings, victims may be susceptible to mood swings.
- o Long term emotional symptoms, ranging from mild to severe and beginning

anywhere from a few days to a few weeks after the rape, involve a reorganization of the life shattered by the assault. One of the primary characteristics of this stage is difficulty in returning to a daily schedule of activities. Victims often express and may act upon a strong desire to change jobs/schools. General sleeplessness may continue, marked by dreams and nightmares. Fears and phobias may develop. Sexual concerns are widespread; it may be some time before victims resume their normal sexual patterns.

Those close to the victim have been found to experience similar reactions. In the immediate aftermath of a rape, the woman's parents/spouse may exhibit physical and emotional symptoms just as she does. Crying, headaches, loss of sleep, and fear of violence are common, as are feelings of revenge and guilt. In the long term, the victim's personal relationships are altered and may be shattered, as her significant others cope with their feelings toward the crime and the victim. Her family and friends may become overprotective or patronizing; other changes in usual interactions may occur. Personal or intimate relationships existing before the assault may be destroyed if partners fail to recognize the victim's emotional and psychological needs. Thus, the woman may not be the only victim of a sexual assault; this crime may deeply affect those around her.

### Prevention

While there are no guaranteed steps that women can take to prevent rape, there are several things they can do to possibly avoid an assault:

- o Remember that the rapist needs the opportunity. Don't give it to him. Normal crime prevention safety tips--locking doors and windows, checking the back of your car before entering--should be habits, no matter how "safe" the area or circumstance.

- o Follow your instincts. Take immediate action if a stranger is acting suspiciously or if a dating situation is getting out of control. Don't let concerns about being thought foolish prevent you from asking for help--security personnel and police would rather answer a "false alarm" or escort you to your car than see you as a rape or murder victim.

- o Avoid dangerous situations. The stranger outside your door with a compelling story can wait there while you make that "urgent" phone call for him. If circumstances require that you be out alone, especially at night, avoid dark or secluded areas and let others know where you are.

- o Don't appear vulnerable. Walk assertively and purposefully, staying in well-lit areas when out alone at night. Restrictive clothing and high-heeled shoes may be fashionable, but are useless if the need to run or fight arises.

- o Know your abilities. Some women in our society have been raised to be passive and submissive, and to underplay their physical and psychological abilities. This learned helplessness can facilitate sexual assault. General fitness and self-defense courses are useful for developing personal strengths and decreasing the likelihood of becoming a victim.

### If assaulted:

- o Keep control of the situation. Try to distract the attacker while planning an escape. Don't rely on talk alone; most rapists are not going to pay attention to their victims' pleas.

- o Attract attention. Screaming, knocking over trashcans, sounding your carhorn or making any other noise may bring help.

- o Remember that only the rapist, and not you, is responsible for the attack. Even in a social situation, your

personal integrity is more important than a date's "ego."

Communities can also take rape prevention measures. Many communities and college campuses have organized against rape. Public awareness and education programs, "escort" services to accompany women out alone at night, self-defense classes, and a heightened awareness of the problem all contribute to preventing sexual assault.

### Sexual Assault and the Law

Rape prosecutions are generally made under State law, except for the comparatively fewer instances of sexual assault occurring in areas under Federal control, such as military installations and some Indian reservations. There have been major changes in the law regarding sexual assault in the past two decades, owing to an increased awareness of the problem and to increased consciousness that the law has not always served the victim. Between 1975 and 1980 almost every State in the United States enacted some form of rape reform legislation, and changes continue to be made. Rape reform legislation generally seeks to facilitate prosecution and assure justice for the victim. Such reforms include:

Rape shield laws. These laws restrict admission into evidence information concerning the victim's past sexual relations. Most States require a hearing and judicial determination of relevance before evidence of the victim's past sexual conduct can be heard by a jury.

Victim resistance. Prior to reform, many States had borrowed the British common law definition of rape as the "carnal knowledge of a female, not his wife, forcibly and against her will." Under this definition, prosecutions hinged on questions of consent and resistance that made conviction difficult and trials an ordeal for the victim. Reform removed the resistance requirement, deleting legal provisions

that forced victims to prove they resisted sexual attacks to the utmost of their ability. The consent standard was also changed and rape equated to other crimes in this regard.

Redefinition of rape. Gender-neutral terms in new definitions redefined rape to enable prosecutions against both men and women for a wide range of behavior, including sexual assault with an object and homosexual assault. These changes created new crimes, termed "sexual assault," "criminal sexual conduct," or "sexual battery," permitting prosecution of any sexual assault, not only those involving heterosexual intercourse.

Changes in penalty structure. Reform introduced staircasing, or the gradation of sex offenses to prevent defendants from pleading guilty to reduced charges such as assault and battery, which give no clue of the crime's sexual nature. Rather than one charge of rape, legislatures have developed a variety of degrees for sex offenses, depending upon the circumstances of the crime and the defendant's culpability. These reforms also include sentencing laws, with some mandatory sentences or changes in modality such as sentences to treatment.

Not all of the reforms listed above have been adopted in every State. The statutes also vary in wording and operation. However, in assessing the impact of these reforms, one attorney noted that the number of reported rapes has approximately doubled since 1970 and tripled since 1960.

### Where to Find Help

Rape crisis centers have formed across the country to assist sexual assault survivors and their families in dealing with the aftermath of these crimes. Beginning as a few, scattered volunteer organizations staffed largely by former victims, rape crisis and other victim assistance programs are found in virtually every locality in the country.

Rape crisis services may be provided through independent organizations formed specifically to provide rape-related services, as specialized units within public or private professional agencies, or by select staff members associated with public services such as hospitals or police, who because of their interest or training, are called when a rape client seeks services.

A variety of services are often available including emergency assistance through 24-hour information and referral hotlines, liaisons and "escorts" for dealing with the criminal justice system, social services, individual counselling, and support groups for

victims and/or their families. Programs may also provide community education, such as speakers; training of involved professionals, i.e., police; and advocacy/public awareness campaigns.

Depending upon the service needed, help can be found in the local telephone book under such headings as "rape crisis," "crisis intervention," or "victim assistance." In addition, the database of the National Victims Resource Center includes the names, addresses, and descriptions of such programs nationwide. See Appendix A for contact information. Appendix B is a bibliography of the sources for this discussion.



Appendix A: For Further Information

National Victims Resource Center  
P.O. Box 6000  
Rockville, MD 20850  
(301) 251-5525

National Coalition Against Sexual Assault  
P.O. Box 15127  
Washington, DC 20003-0127  
(202) 293-860

National Coalition Against Domestic Violence  
2401 Virginia Avenue, N.W.  
Suite 306  
Washington, DC 20037

National Center on Women & Family Law  
799 Broadway, Room 402  
New York, NY 10003

## Appendix B: Bibliography

Bienen, Leigh. "Rape Reform Legislation in the United States: A Look at Some Practical Effects" Victimology 8:1-2, 1983, pp. 139-151.

Burgess, Ann W.; Hartman, Carol R.; Kessler, Robert K.; Douglas, John E.; McCormack, Arlene. "Sexual Homicide--A Motivational Model," Journal of Interpersonal Violence 1:3, September 1986, pp. 251-272.

Gornick, Janet; Burt, Martha R.; Pittman, Karen J. "Structure and Activities of Rape Crisis Center in the Early 1980s," Crime & Delinquency 31:2, April 1985, pp. 247-268.

Hanneke, Christine R.; Shields, Nancy M.; McCall, George J. "Assessing the Prevalence of Marital Rape," Journal of Interpersonal Violence 1:3, September 1986, pp. 350-362.

Hendricks, James E. "Criminal Justice Intervention with the Rape Victim," Journal of Police Science and Administration 11:2, June 1983, pp. 225-232.

Ledray, Linda E. "Counseling Victims of Rape: Their Needs and a New Treatment Approach" The Victim in International Perspective, edited by Hans Joachim Schneider. From the 3rd International Symposium on Victimology, 1979 in Munster/Westfalia, West Germany. New York: Walter de Gruyter of Berlin, 1982. pp. 358-374.

National Center on Women & Family Law. Marital Rape Exemption Packet, Item No. 7, 95; May 1985.

Ressler, Robert K.; Burgess, Ann. W.; Douglas, John E.; Hartman, Carol R.; D'Agostino, Ralph E. "Sexual Killers and Their Victims," Journal of Interpersonal Violence 1:3, September 1986, pp. 288-308.

Rodkin, Lawrence I.; Hunt, E. Joan; Cowan, Suzi Dunstan. "A Men's Support Group for Significant Others of Rape Victims," Journal of Marital and Family Therapy, January 1982, pp. 91-97.

Streitfield, David. "Date Rape: The Damage Rises," Washington Post, Feb. 24, 1987, p. C5

U.S Department of Justice, Bureau of Justice Statistics. The Crime of Rape. March 1985.

Vito, Gianro F.; Longmire, Dennis R.; Kenney, John P.  
"Preventing Rape: an Evaluation of a Multi-Faceted Program,"  
Police Studies 6:4, Winter 1983-84, pp. 30-36.

Warr, Mark. "Fear of Rape Among Urban Women," Social  
Problems 32:3, February 1985, pp. 238-250.

Williams, Linda S. "Classic Rape--When Do Victims Report?"  
Social Problems 31:4, April 1984, pp. 459-467.