

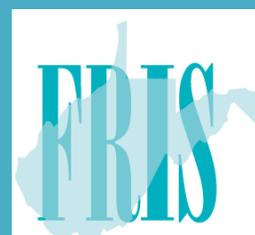
Reconstructing Norms

A Curriculum to Educate College Campuses about Sexual Assault Prevention

West Virginia Foundation for Rape Information and Services
Adapted with permission from the Pennsylvania Coalition Against Rape

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1. SEXUAL ASSAULT PREVENTION ON COLLEGE CAMPUSES

A. User's Guide

B. Sexual Assault and College Students

C. Campus Based Sexual Assault Program Basics

1. A. USER'S GUIDE

PREFACE

Many people regard American colleges as centers of higher learning, friendly interpersonal socialization, career training, liberal thought and athletic achievement. But institutions of higher education are by no means crime-free. Women face a high risk of sexual assault. Rape and sexual assault are the two most common violent crimes committed on American college campuses today (Finn, 1995; Fisher et al., 1995; Sampson, 2002). College campuses host large concentrations of young women who are at greater risk for rape and other forms of sexual assault than women in the general population (Fisher, Cullen & Turner, 2000). Among college students nationwide, nearly 25 percent of women reported experiencing completed or attempted rapes (Fisher, Cullen & Turner, 2000). Many of these assaults involve alcohol. In fact, the majority of campus sexual assaults involve alcohol consumption, by either or both the victims and perpetrators (Abbey, 2002; Abbey et al., 1996; Koss et al., 1987; Presley et al., 1997; as cited in Mohler-Kuo et al., 2004). Drinking by college students aged 18 to 24 is correlated with 97,000 cases of sexual assault each year (Hingson et al., 2002).

Sexual assault is a critical issue for all college and university campuses. Sexual assault does not just affect individual students, but the entire campus community. Campus violence impacts students, staff and faculty in many ways. Victims may feel they need to leave school either by dropping out or taking a leave of absence. Remaining in school after an assault, victims may have problems concentrating, studying and attending classes. They may fear running into the person(s) who perpetrated the violent act, so they may avoid academic and social activities. College life may become so stressful that they develop clinical symptoms of trauma or anxiety. Sexual violence compromises the integrity of the safe, welcoming environment that campuses are supposed to provide, impinging on the academic and social success of all students.

Supporting a comprehensive institutional approach to address sexual assault ensures that all members of the campus community have access to the education and employment they seek. When appropriate services are provided to victims, the emotional, physical and psychological effects are mitigated and retention rates are increased. Thus, institutions of higher education can best serve members of their community by ensuring timely access to appropriate services and creating an environment intolerant of sexual assault. Colleges and universities can best accomplish these goals by supporting and implementing sexual assault prevention and education programs designed to inform and reduce the risk of sexual assault.

GOAL OF CURRICULUM

The goal of this curriculum is to provide facilitators with tools to educate the campus community about the problem of sexual assault and ways to prevent it.

TARGET AUDIENCE OF CURRICULUM

This curriculum is designed for rape crisis advocates working with colleges and universities to address sexual assault on campus. The manual includes general information on the connection between alcohol and sexual assault on college campuses and lesson plans for various campus groups. Each workshop includes talking points, activities and handouts for the presenter.

Facilitators should have knowledge and experience in sexual violence crisis intervention and community education. Facilitators should also have training in handling disclosures of sexual violence from participants. (Note: *The West Virginia Sexual Violence Prevention Toolkit: A Guide for College Campuses*, through www.fris.org, offers further information on these issues.)

PURPOSE OF CURRICULUM

Responding to sexual assault on college campuses traditionally focuses on changing the behavior of women. Many programs focus on risk reduction for women, putting most of the responsibility for stopping rape on them. Instead, programs should also include perpetration prevention and bystander intervention information for men. In addition, all facets of the campus community need to work together to present a united front against sexual assault. Therefore, educational programs should also be geared toward faculty, staff, administrators, healthcare workers and campus police. Only by changing the culture of thinking around the issue of sexual assault will programs be effective. Sexual assault on campus is not just a “women’s issue.” It is an epidemic that must be confronted by the entire campus community.

The first step in reducing campus sexual assaults is to acknowledge that 90 percent are committed by someone known to the victim. This curriculum focuses on the prevalence of non-stranger sexual assault and ways to combat it. Many institutions of higher education believe they are combating sexual assault by providing campus accompaniments, proper lighting and card key access to dorms. While these security measures may help prevent stranger rapes, they do not address the majority of sexual assaults on campus. Students, faculty, staff and administrators need to be aware of the prevalence and severity of non-stranger sexual assault on campus.

Because alcohol and other drugs are involved in most acts of sexual assault on campus, college and university administrators are under increasing pressure to acknowledge this connection and take steps to address the consumption of alcohol on campus as part of a comprehensive strategy for rape prevention. This manual was developed in response to the growing need for combined alcohol/sexual assault prevention programs. Toward the goal of reducing the number and severity of alcohol-related sexual assaults, this manual describes the problem of non-stranger sexual assault on college campuses, addressing its scope, contributing factors and effects; and provides detailed, ready-to-implement workshops for various campus groups.

By involving the entire campus community in the movement to end sexual violence and by influencing their ideas and actions, we can affect societal change.

GETTING STARTED: WHO TO CONTACT

Campuses offer many opportunities for facilitating sexual assault awareness workshops. Your agency may already have established relationships with campus groups. Some may need a campus-based co-sponsor. Cultivate relationships with the campus community from the top down and bottom up. Possible contacts on campus include coaches, teachers or department chairs (particularly in departments involving social work, psychology, gender studies, etc.), residence life staff, student government associations, campus ministries, fraternities, Greek councils, campus security, health services and student affairs.

A NOTE ON LANGUAGE

Sexual violence includes any unwanted sexual contact. It includes unwanted intercourse (vaginal oral or anal) and/or touching, fondling or groping of sexual body parts. There are legal and non-legal definitions of the terms “rape” and “sexual assault.” This curriculum uses the non-legal definitions and uses the two terms interchangeably. For the legal definition of rape and sexual assault, please see the glossary.

Sometimes referred to as “date rape,” “acquaintance rape” is considered a more accurate term. The reason for this is simple. Research indicates that campus rapes occur not only between people who are on a date but also between those who simply know each other and are not dating. More than eight in ten victims know their attacker. They may have met at a party, visited an off-campus residence with friends or simply socialized in each other’s rooms in the residence hall. Thus, the term acquaintance rape was adopted.

Rape is rape and using the term “acquaintance” in no way suggests its effects are any less severe than with strangers.

MALE VICTIMS OF SEXUAL ASSAULT ON COLLEGE CAMPUSES

College women are raped at significantly higher rates than college men. College men are more likely to report experiencing unwanted kissing or fondling than intercourse. College men who are raped are usually raped by other men. However, since so few men report, information is limited about the extent of the problem. Even current national data collection systems fail to capture information about the rape of men. The FBI's Uniform Crime Report (UCR) does not provide data on male rape victims. Because there is limited data available about male sexual assault and in recognition that the vast majority of victims of sexual violence are female and the vast majority of offenders are male, individual victims in this curriculum are often referred to using female pronouns and individual offenders are often referred to using male pronouns. This in no way implies that males are not victims of sexual violence or that females are not offenders; it is written in this format solely for the ease of reading the material.

If you want to modify your presentation, you may want to include relevant data from your own campus data and/or research about male victims. If you need assistance, please contact the West Virginia Foundation for Rape Information and Services (WVFRIS).

NOTE ON THIS ADAPTED CURRICULUM

This curriculum was adapted by WVFRIS from a publication of the Pennsylvania Coalition Against Rape (PCAR), *Reconstructing Norms: Preventing Alcohol Related Sexual Assault on College Campuses*. WVFRIS appreciates the generosity of PCAR to share this material.

1.B. SEXUAL ASSAULT AND COLLEGE STUDENTS

SCOPE OF THE PROBLEM

Sexual assault on college and university campuses is occurring at an alarming rate. “Women ages 16 to 24 experience rape at rates four times higher than the assault rate of all women,” (Humphrey & Kahn, 2000), making the college (and high school) years the most vulnerable for women. In fact, college women are more at risk for rape and other forms of sexual assault than women the same age but not in college (Fisher, Cullen & Turner, 2000). According to a U.S. Department of Justice report (Fisher, Cullen & Turner, 2000), just under 3 percent of all college women become victims of rape in a given 9-month academic year. At first glance the risk may seem low, but that percentage translates into 35 such crimes for every 1,000 female students. When projected to a full calendar year, the proportion rises to nearly 5 percent. When projected to a now-typical 5-year college career, one in five young women experiences rape during college.

Rape rates vary by school, type of school and region. Some features of the college environment – frequent unsupervised parties, easy access to alcohol, single students living on their own and the availability of private rooms – may contribute to higher sexual assault rates of college women.

Contrary to widespread stranger-rape myths, in the vast majority of these crimes the victim and perpetrator know each other. For both completed and attempted rapes, about nine in 10 perpetrators are known to the victim (Fisher, Cullen & Turner, 2000). Most often, a classmate, friend, boyfriend, ex-boyfriend or other acquaintance (in that order) sexually victimized the women (Fisher, Cullen & Turner, 2000).

TYPES OF ACQUAINTANCE RAPE

There are several different types of acquaintance (non-stranger) rape. Among them are:

- Party rape (can also include gang rape)
- Rape by a date
- Rape in a non-party and non-date situation (e.g. while studying together)
- Rape by a former intimate partner
- Rape by a current intimate partner

The typical “party rape” occurs at an off-campus residence or on- or off-campus fraternity and involves the perpetrator plying his victim with alcohol or targeting someone who is intoxicated. By contrast, an acquaintance rape typically involves two people who are just becoming acquainted and the offender rapes the woman in a car or residence after the date. Most acquaintance rapes do not occur on dates. Instead, they occur when the victim and perpetrator are otherwise in the same place (i.e., at a party or studying together).

Most sexual assaults of college students do not occur on dates. Instead, they occur when the victim and perpetrator are otherwise in the same place (e.g., at a party or studying together). Thus, “date rape” is not the appropriate term to describe the majority of college sexual assaults,

as these rapes account for only 13 percent of college rapes (though they make up 35 percent of attempted rapes) (Fisher, Cullen & Turner, 2000). Among college students, a “typical” sexual assault occurs at either the man’s or the woman’s residence and is often preceded by consensual kissing. In addition, the assault involves a single assailant who uses no weapon.

The term “date rape” so commonly used on college campuses also has led many to believe that campus rapes are inadvertently committed by almost any “basically good guy” who, when faced with the combination of too much alcohol and “miscommunication,” accidentally sexually assaults a woman. Research on sexual perpetrators over the last two decades has clearly shown that in the majority of campus rapes, the rapes were not accidents due to miscommunication and, in fact, were committed by a small number of male students who are, in essence, serial rapists.

The majority of sexual victimizations, especially rapes and physically-coerced sexual contact, occurred in living quarters. According to a 2000 Bureau of Justice Statistics report, almost 60 percent of the completed rapes that occurred on campus took place in the victim’s residence, 31 percent occurred in other living quarters on campus and 10.3 percent took place in a fraternity (Fisher, Cullen & Turner, 2000).

SOCIETAL ATTITUDES ABOUT ACQUAINTANCE RAPE

Over the last decade, attitudes about the sexual victimization of women have improved. However, in general, college students, campus administrators, police, prosecutors, judges and juries still overwhelmingly view and treat acquaintance rape less seriously than stranger rape. Such beliefs sustain the myth that stranger rape is “real rape,” while acquaintance rape is less serious and less harmful.

Rape myths allow us to believe that a “real rape” is one in which a victim is raped by a stranger who jumps out of the bushes with a weapon and in which she fought back, was beaten and bruised, reported the event to the police and had medical evidence collected immediately. In a “real rape,” the victim has never had sex with the assailant before, is preferably a virgin, was not intoxicated, was not wearing seductive clothing and has a good reputation... Unfortunately, acquaintance sexual assaults contain few, if any, of those elements. In many acquaintance rape situations, the victim had been drinking, did voluntarily go with the man to his apartment or room, was not threatened with a weapon, did not fight back, did not report the event to the police immediately, did not have medical evidence collected and may have even had sex with the assailant voluntarily before (Fisher, Cullen & Turner, 2000).

Myths surrounding sexual assault can compound the devastating effects for victims. These myths often shift the responsibility and blame from the rapist to the victim. Unfortunately, these beliefs are widely held and are often reinforced through the media and the reactions of institutions, friends and family.

Below are several commonly held myths regarding sexual assault.

MYTH: Rape is caused by the perpetrator's uncontrollable sexual urge.

FACT: As is the case in other forms of abuse, rape is an act of power and control, not sex. Rapes are often planned.

MYTH: Most rapists are strangers to their victims.

FACT: Most rapes are committed by someone the victim knows. On college campuses, 90 percent of sexual assaults are committed by someone known to the victim (Fisher, Cullen & Turner, 2000).

MYTH: The victim must have "asked for it" by being seductive, careless, drunk, etc.

FACT: No one asks to be abused, injured or humiliated. Poor judgment is not a "rape-able" offense. The blame lies with the perpetrator. Many perpetrators use alcohol as a weapon to control their victims. As part of their plan, they encourage the woman to use alcohol or target a woman who is already drunk.

MYTH: Women lie about sexual assault to save their reputation or to get revenge.

FACT: FBI statistics show that only 3 percent of reported rapes are false reports. The false-report rate of rape is the same rate for other kinds of felonies. In fact, most sexual assaults are not reported to the police. In one study, only one-third of those sexually assaulted reported to anyone (Rennison, 2002). For victims, the criminal justice system can be so taxing, expensive and traumatic, it is likely that few would go through this process in order to "get revenge." More people fake their own death than falsely report rape.

As these myths illustrate, many individuals still blame the victim for a sexual assault rather than the perpetrator. It is no wonder a majority of sexual assault victims do not report their assault.

VICTIM UNDERREPORTING

Fewer than 5 percent of college women who are victims of rape or attempted rape report it to police (Fisher, Cullen & Turner, 2000). Acquaintance rape victims offer a range of reasons for not reporting the rape to authorities (Bohmer & Parrot, 1993):

- Embarrassment and shame
- Fear of publicity
- Fear of reprisal from perpetrator
- Fear of social isolation from the perpetrator's friends
- Fear that the police will not believe them
- Fear that the prosecutor will not believe them or will not bring charges
- Self-blame for drinking or using drugs before the rape
- Self-blame for being alone with the perpetrator, perhaps in one's own or the perpetrator's residence
- Mistrust of the campus judicial system
- Fear that their family will find out

Many acquaintance rape victims do not label their assaults as rape. One of the largest studies of non-stranger rape found that in nearly half the incidents legally categorized as completed rapes, the women did not consider the incident to be a rape (Fisher, Cullen & Turner, 2000). Women may not define a victimization as a rape for many reasons (such as embarrassment, not clearly understanding the legal definition of the term or not wanting to identify someone they know who victimized them as a rapist) or because others blame them for their sexual assault (Pitts & Schwartz, 1993).

VULNERABILITY FACTORS FOR VICTIMIZATION

While a sexual assault is never the victim's fault, research suggests that there are factors that increase the likelihood of victimization.

- Having a prior history of sexual violence
- Being single
- Being at an isolated site
- Frequently drinking enough to get drunk
- Drinking to the point of being unable to resist forceful sexual advances
- Miscommunication about sex
- Holding less conservative attitudes about sexual behavior
- Engaging in social activities with sexually predatory men

Beginning the first day of fall semester and running until Thanksgiving, freshman women are at the highest risk for sexual assault. In one study, 84 percent of female students experienced sexually coercive experiences within their first four semesters of college (Gross et al., 2006). This period is often referred to as "the red zone." Because it is the first semester and new students are trying to find their place in the college community, they may be willing to take greater risks than they would at home. Also, they may assume that there is no difference between a university campus and their own close-knit neighborhood so they do not pay attention to the behaviors and motives of those around them.

RISK FACTORS FOR PERPETRATION

Research suggests that most college men who commit sexual assaults perceive their behavior as normative and reasonable. In most cases, college men who rape are considered quite normal by their peer groups and the act as part of the culture (Sampson, 2002). Their initial goal is sexual activity, usually sexual intercourse and they turn to rape to achieve their goal and the gratification of having power over another person. Their likelihood of committing sexual assault is associated with certain specific characteristics, such as negative attitudes toward women and a belief that men are entitled to sex under certain conditions. Risk factors for perpetration include the following factors (Center of Disease Control and Prevention—CDC, 2011):

Individual Factors

- a) **Alcohol and drug use**
Some men see alcohol as a tool for sexual conquest, which makes their female companion easier to conquer. In addition, many college men may be unaware that having sex with someone who is drunk is rape.
- b) **Coercive sexual fantasies**
- c) **Impulsive and antisocial tendencies**
- d) **Preference for impersonal sex**
Some college men have sexist attitudes and seek sexual conquests. They have learned that what is important is that they “score.”
- e) **Stereotypical views of women’s sexual behavior**
Many men are socialized to believe that women initially resist sexual advances to preserve their reputation and, because of this, prefer to be overpowered sexually.
- f) **Hyper-masculinity**

Relationship Factors

- a) **Association with sexually aggressive and delinquent peers**
Sexually abusive men often are friends with and loyal to other sexually abusive men and get peer support for their behavior. Gang rapes are most often perpetrated by men who participate in intensive male peer groups that foster rape-supportive behaviors and attitudes.
- b) **Family environment characterized by physical violence and few resources**
- c) **Strong patriarchal relationship**
- d) **Emotionally unsupportive familial environment**

Community Factors

- a) **Weak community sanctions against sexual violence perpetrators**
- b) **Lack of institutional support from police and judicial system**
Victims give a number of reasons for not reporting their victimizations to law enforcement officials. Fear of being treated with hostility by the police and anticipation that the police would not believe the incident was serious enough and/or would not want to be bothered with the incident were listed as barriers to reporting (Fisher, Cullen & Turner, 2000).
- c) **General tolerance of sexual assault within the community**
- d) **Settings that support sexual violence**
- e) **Societal norms that support male superiority and sexual entitlement**
- f) **Societal norms that maintain women’s inferiority and sexual submissiveness**

CONNECTION BETWEEN SEXUAL ASSAULT AND ALCOHOL USE

Scope of the Problem

As indicated throughout the previous pages of this manual, alcohol is frequently cited as a situational contributor to sexual violence. More than 70,000 students between the ages of 18 and 24 experience alcohol-related sexual assaults each year in the United States (Task Force of the National Advisory Council on Alcohol Abuse and Alcoholism, 2002). On average, at least 50 percent of college students' sexual assaults are associated with alcohol use and in 81 percent of the alcohol-related sexual assaults, both the victim and the perpetrator had consumed alcohol (Abbey, 2002).

The Role of Alcohol

Students view alcohol differently from the public at large. As a group, they may not identify alcohol use as a problem at all. The college student population sees alcohol as a necessary contributing element of the social aspects of college life. Alcohol serves as the lubricant of social interaction. It has the ability to lessen one's inhibitions and fear. Individuals at this age are experimenting with their own positions within social structures. In the college culture, alcohol and other substances are used frequently to enhance one's state of "social ability" or to loosen inhibitions. Alcohol consumption and usage and its influence while dealing with the identification of sexual role and relationship experimentation, become significant. The obligation to be "one of the group," promotes a perceived necessity to drink. Clearly, alcohol mixed with substantial miscommunication and gender factors fuels a scenario leading to acts of sexual assault.

Alcohol use may increase the risk of sexual assault through several pathways. For example, drinkers may use alcohol as an excuse to engage in sexually aggressive behavior or as a coercive tactic to obtain sex. In addition, alcohol may result in increased misperceptions of the woman's sexual interest, decreased concern about her experience or decreased ability to evaluate correctly whether consent has been obtained. Many men falsely believe that alcohol increases sexual arousal and legitimates nonconsensual sexual aggression. Perpetrators perceive drinking women as more sexually available – believing that women who have two or more drinks are more interested than other women in having sex. Intoxication by the victim can decrease her ability to effectively resist an assault. Additionally, alcohol use sometimes fosters a double standard in which women are held more responsible and men are held less responsible, if an assault occurs. Some of the theories of how alcohol contributes to sexual violence are discussed below.

- **Disinhibition**

Alcohol is sometimes used as an excuse for unacceptable behavior. Some perpetrators use alcohol to justify acting out, misbehaving or committing a crime. Intoxication limits the ability to consider the long-term negative consequences of behavior because it limits focus to short-term immediate cues. Thus, an intoxicated man is likely to focus on his sexual arousal and sense of entitlement rather than the potential pain and suffering of his victim or the possibility that he will be punished (Abbey, 2002). If a man already has several of the characteristics for perpetration (i.e., coercive sexual fantasies, impulsive and antisocial tendencies, stereotypic views of women's sexual behavior), alcohol can act

as a permission slip for sexual assault. By reducing inhibitions, alcohol often makes it more likely that someone will choose to sexually assault another person.

- **Expectations about Alcohol's Effect**

Alcohol is commonly viewed as an aphrodisiac that increases sexual desire and capacity. Many men expect to feel more powerful, disinhibited and aggressive after drinking alcohol. Expectations have a power of their own. When people expect a certain outcome, they tend to act in ways that enhance the likelihood that the outcome will occur. Alcohol reduces motor function and has also been shown to reduce a person's ability to analyze complex social situations appropriately (Sampson, 2002). This may lead the victim or perpetrator to ignore or misunderstand typical sexual cues (Sampson, 2002). The beliefs and expectations some men may hold about alcohol may predispose them to act sexually and aggressively after drinking alcohol. For example, if a man starts out the evening thinking, "I'm going to have sex tonight," drinking alcohol may cause him to interpret or reinterpret a woman's behavior in a way that fits his original hypothesis, ignoring cues that she is not interested (Abbey, et al., 2002). In the case of sexual assault, a man may feel his aggressiveness is justified if he believes the woman encouraged his sexual interest and that once led on, a man has a right to sex. Men with these expectations may feel more comfortable forcing sex when they are drinking because they can later justify to themselves (and others) that the alcohol made them act accordingly.

- **Beliefs about Women Who Drink**

Attitudes about women's alcohol consumption also influence a perpetrator's actions and may be used to excuse sexual assaults of intoxicated women. Women who drink alcohol are frequently perceived as being more sexually available and sexually promiscuous than women who do not drink alcohol. For example, in one study, college students were asked to read a story about a man who used verbal and physical force to obtain sex from a date. Men who drank alcohol before reading the story were less likely than their sober counterparts to perceive the sexual encounter as violent (Norris et al., 2002). In another study, college students were asked to evaluate vignettes that depicted forced sex between dating partners. Even when force was clearly used, the mere presence of alcohol led many students to assume the woman wanted sex (Norris & Cubbins, 1992; Norris et al., 2002). Thus, in terms of how others will perceive them, the consequences of intoxication can be greater for college women than for college men.

Despite the liberalization of gender roles during the past few decades, most people do not readily approve of alcohol consumption and sexual behavior among women, yet view these same behaviors among men with far more leniency. Women who were drunk when raped are often viewed by others as partially responsible for what happened. American gender role norms about dating and sexual behavior encourage men to be forceful and dominant. Men often interpret a woman's sexual refusal as a sign that they should try harder or a little later rather than that they should stop altogether. Women are expected to set limits on sexual activities and are often held responsible when men overstep them. It is no wonder, then, that most women feel that sexual assault is their fault – especially if they had been drinking prior to the assault. Perpetrators often use alcohol to excuse sexual assault and it has been suggested that a large percent of college-age rape victims

blame themselves entirely for the attack because they were using drugs or alcohol (Sampson, 2002; Schwartz & Leggett, 1999).

- **Misinterpretation of Verbal and Nonverbal Cues**

Men and women frequently interpret verbal and nonverbal cues of sexual intent differently. Men often perceive women's friendly behavior as a sign of sexual interest, even when it is not intended that way. Cues used to convey sexual interest are often indirect and ambiguous, thus friendliness is often mistaken for flirtation. Although not an excuse, when alcohol use is added to the situation, misinterpretation of cues can increase and result in sexual assault. Alcohol tends to narrow a person's attention, focusing them on whatever information is most salient and failing to process important and obvious information (Abbey, 2008). When intoxicated, people are less able to attend to multiple cues and instead tend to focus on those that are most prominent.

If and when a woman realizes that she has been misperceived, she must decide how to respond. Because of norms of female politeness and indirectness regarding sexual communication, many women find it difficult to confront a man directly, especially if they like him and hope to continue the relationship. Unfortunately, if the woman is not direct and forceful about her lack of interest in sex, the man is often likely to interpret her behavior as coyness, rather than as a refusal. One study showed that if a man was drinking alcohol when the woman rejected sexual advances, the perpetrator was more likely to feel "led on" and consequently justified for forcing sex on the woman (Abbey, 2002). This is why it is critical that men obtain explicit verbal consent in sexual encounters.

- **Alcohol's Effect on Women's Ability to Assess and React to Risk**

Alcohol consumption may limit a person's ability to identify and respond to warning signs or red flags concerning sexual violence. Drinking may lower a person's inhibitions and slow her responses to danger. For example, if a woman feels that she has made it clear that she is not interested in sexual intercourse, alcohol will make her less likely to recognize potentially contradictory cues and realize that the man is misperceiving her. In addition, drinking may keep a woman from noticing a man's attempts to get her into an isolated location or his encouragement to drink even more. Alcohol's effects on motor skills may limit a woman's ability to resist sexual assault effectively, either verbally or physically. Researchers have found that sexual assault victims who reported being at least somewhat drunk were less likely to use physical resistance strategies than were victims who were not drunk.

- **Strategy**

Many men who have committed sexual assault realize that it is harder for women to resist sexual advances when intoxicated; therefore, they try to get their female companion drunk as a way of obtaining sex. Unfortunately, many male-centric organizations create a social environment in which sexual coercion is normalized because women are perceived as commodities available to meet men's sexual needs. Offenders often ply women with alcohol or target an already intoxicated woman. "Candy is dandy, but liquor is quicker" is a familiar refrain that is often used on campuses to describe this form of coercion (Nash, 2007).

While alcohol or other drug use may be present in many sexual assaults on college campuses, it does not justify or excuse the assault. Nor does it demonstrate that alcohol causes sexual assault. Consider the following analogy regarding alcohol and sexual assault made by Dr. Scott Hampton, Director of Ending the Violence. Putting alcohol into your system does not cause you to commit a sexual assault anymore than putting gasoline into your car causes you to drive to the airport. Gasoline makes it easier to do what you want to do (e.g., drive a car) while alcohol also makes it easier to do what you want to do (e.g., commit sexual assault). Sexual assault occurs despite alcohol use, not because of it. When someone is extremely intoxicated, that person is considered to be “impaired.” “Impairment” means a person has more difficulty performing tasks. Therefore, if you are going to sexually assault someone when drunk, you have to try harder, focus your attention and be more determined, than if you were sober. In effect, people who sexually assault when drunk do so not because they are intoxicated, but despite their intoxication. They overcome the impairment to commit the sexual assault.

Offenders are legally and morally responsible for the acts of sexual assault they commit, regardless of whether or not they were intoxicated. The fact that the victim’s alcohol consumption may increase their likelihood of experiencing sexual assault does not make them responsible for the offender’s behavior.

FEDERAL LAWS ON CAMPUS CRIME

Though sexual assault and related acts of violence have, historically, been common occurrences on college campuses across the nation, university and community recognition of this phenomenon has come to the forefront only since the mid-1990s. Beginning with the high-profile case of rape, burglary and strangulation of Jeanne Ann Clery, a freshman at Lehigh University, in her dormitory by another student, campus security became newsworthy. After the murder trial of Clery’s assailant and the civil suit against the university in which Lehigh was found responsible for negligence, failure to protect and failure to warn, the Clery family founded Security on Campus, Inc. in 1989, a non-profit organization dedicated to improving safety and security on America’s college campuses.

It was only then that the nation realized that just a small percentage of colleges reported crime statistics to the FBI. Few, if any, victim services existed on any campus to respond to the high number of campus sexual assaults.

Starting in 1990, Congress acted to ensure that institutions of higher education have strategies to prevent and respond to sexual assault on campus and to provide students and their parent’s accurate information about campus crime. The Student Right-to-Know and Campus Security Act of 1990 (the act was renamed in 1998 the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act) requires that schools annually disclose information about crime, including specific sexual crime categories, in and around campus to college students, campus employees, prospective students and their parents. Schools are also required to report these statistics to the U.S. Department of Education and make them available to the general public. In addition, the act requires that each college and university have policies and procedures for intervention and discipline for these major crimes as well as educational programming to help reduce the risks of college students becoming victims.

Requirements of the Clery Act

Annual Report

Schools have to publish an annual report that contains three years' worth of campus crime statistics and certain policy statements, including sexual assault policies. The report is to be made available automatically to all current students and employees while prospective students and employees are to be notified of its existence and afforded an opportunity to request a copy.

Crime Statistics

Each school must disclose crime statistics for the campus, unobstructed public areas immediately adjacent to or running through the campus and certain non-campus facilities including Greek housing and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement and other school officials who have "significant responsibility for student and campus activities" such as student judicial affairs directors. The statistics are also broken down geographically into "on campus," "residential facilities for students on campus," "on-campus buildings," and "on public property" such as streets and sidewalks.

The definitions below are to be used when compiling campus crime data under the Clery Act:

- **Sex Offenses – Forcible:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.
 - A. *Forcible Rape* – The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
 - B. *Forcible Sodomy* – Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
 - C. *Sexual Assault With An Object* – The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
 - D. *Forcible Fondling* – The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

- **Sex Offenses – Non-forcible:** Unlawful, non-forcible sexual intercourse.
 - A. *Incest* – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - B. *Statutory Rape* – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Access to Timely Information

Schools are also required to provide "timely warnings" and a separate more extensive public crime log. It is these requirements which are most likely to affect the day-to-day lives of students. The timely warning requirement is triggered when the school considers a crime to pose an ongoing "threat to students and employees." The log records all incidents reported to the campus police or security department.

Public Crime Log

Each institution with a police or security department must have a public crime log. Schools are required to disclose in the public crime log "any crime that occurred on campus...or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department."

The log must be publicly available during normal business hours. This means that in addition to students and employees, the general public, such as parents or members of the local press, may access it.

Statement of Policy

The Clery Act requires a statement of policy regarding the institution's sexual assault program to prevent sex offenses and procedures to follow when a sex offense occurs. Statement of policies related to sexual assault must include:

- Description of educational programs to promote the awareness of rape, acquaintance rape and other forcible and non-forcible sex offenses
- Procedures students should follow if a sex offense occurs
- Information on the student's option to notify proper law enforcement officials (including on-campus and/or local police)
- Notification of existing on- and off-campus counseling, mental health or other student services for victims of sex offenses
- Notification that an institution will change the victim's academic and living situations if changes are requested and are reasonably available
- Procedures for campus disciplinary procedures in cases of a reported sex offense

The Campus Sexual Assault Victims' Bill of Rights of 1992, an amendment to the 1990 act, requires that schools develop prevention policies and provide certain assurances to victims. The law was amended again in 1998 to expand requirements, including the crime categories that must be reported. In 1994, the Violence Against Women Act was passed and included funding to increase sexual assault programming and victim services on college campuses. Amendments to

these and other pieces of legislation have continued to strengthen the original campus security laws.

Schools' Responses to the Clery Act

Institutions of higher education vary widely in how well they comply with Clery Act mandates and respond to sexual victimization. Most schools comply with the requirement to report crime data, but only about a third do so in a way fully consistent with federal laws. Only 37 percent of the schools studied report their statistics in the required manner; for example, most schools failed to distinguish forcible and non-forcible sex offenses in their reports as required by the Clery Act (Karjane, Fisher & Cullen, 2005).

Results from the *Sexual Assault on Campus: What Colleges and Universities Are Doing About It*, (Karjane, Fisher & Cullen, 2005) provides the following statistics on compliance with federal laws and response to victims:

Who Is Trained to Respond?

- Overall, only about 4 in 10 schools offer any sexual assault training. What training is available is usually for resident advisers and student security officers, not the general student population.
- Of the schools that provide training, about half train their faculty and staff in the school's response policies and procedures.
- Fewer than 2 in 5 schools train campus security personnel, even though formal complaints are likely to be reported to campus security.

How Do Students Report an Assault?

- Although 84 percent of the schools studied offer confidential reporting, only 46 percent offer anonymous reporting.
- Even though almost half of schools with a contact procedure listed a phone number, less than half provide service after business hours.
- Information about filing criminal charges and campus reports is included in the policies of less than half the schools.

Prevention Efforts and Resources for Victims

- About 6 in 10 schools offer safety-related educational programs. Of the programs offered by these schools, 6 in 10 address sexual assault.
- Of the schools that offer general educational programs, less than 1 in 3 include acquaintance rape prevention in the program.

Investigating and Punishing Victimization

- Most reports of sexual assault on campus are dealt with through binding administrative actions, such as no-contact orders.
- The most common penalty is expulsion, imposed by 84 percent of the schools. Many schools suspend offenders or place them on probation. Offenders may also be censured, required to make restitution or lose privileges.
- Only about half the schools keep the complainant apprised of the progress of the case; they are far more likely to notify the accused.

FEDERAL LAW ON DISCRIMINATION IN EDUCATION

Title IX of the Education Amendment of 1972

In April 2011, the U.S. Department of Education reminded schools in a “Dear Colleague Letter” (DCL) that they are required by Title IX of the Education Amendment of 1972 to take certain steps to respond to sexual harassment in accordance with Title IX. Included in Title IX’s definition of sexual harassment are rape, sexual assault, sexual battery and sexual coercion—these acts are the focus of the DCL. No new obligations for schools under Title IX are required; instead, the DCL was meant to clarify responsibilities under this act and help schools protect students and avoid liability (Burzunis & Newhall, 2011).

The information below is from the Department of Education’s *Sexual Violence DCL Fact Sheet* at <http://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201104.pdf>.

Schools’ Obligations Under Title IX Regarding Sexual Violence

- Once a school knows or reasonably should know of a possible act of sexual violence, it must take *immediate and appropriate action to investigate or otherwise determine what occurred*. If sexual violence has occurred, a school must take *prompt and effective steps to end the sexual violence, prevent its recurrence and address its effects, whether or not it is the subject of a criminal investigation*.
- A school must take steps to *protect the complainant as necessary*, including interim steps taken prior to the final outcome of the investigation.
- A school *must provide a grievance procedure for students to file complaints* of sex discrimination, including complaints of sexual violence. These procedures must include an *equal opportunity for both parties to present evidence and the same appeal rights*.
- A school’s *grievance procedures must use the preponderance of the evidence standard* to resolve complaints of sex discrimination.
- A school must *notify both parties of the outcome of the complaint*.

To meet these obligations, the Department of Education (through the DCL) recommends numerous actions such as information, programming, and training for school personnel and students, and clarifying related school policies/procedures.

1.C. CAMPUS-BASED SEXUAL ASSAULT PROGRAM BASICS

“Are we doing as much as we possibly can to reduce the number of sexual assaults on our campus?” is a question every top administrator needs to ask. Administrators can answer “yes” only if they are providing active, ongoing and visible support to the effort. Supporting sexual assault prevention education programs is one of the most important steps administrators can take to prevent sexual assault on their campuses.

Sexual assault is a complex problem with no easy solution. As noted, the crime is intimately associated with drinking. Its widespread prevalence reflects inappropriate norms about sexual behavior that are deeply ingrained among all sectors of society. The problem has legal ramifications for offenders, victims and school officials alike. To address this complex problem effectively, college administrators need to develop a comprehensive plan that includes multiple prevention approaches which address the underlying causes of sexual assault, including inappropriate school-wide attitudes toward violence and the school’s drinking environment.

Campus-based sexual assault programs must have at least these three purposes to be effective: (1) to educate students, faculty and staff about sexual violence and abuse; (2) to prevent sexual assaults committed by members of the campus community; and (3) to respond appropriately when these incidents occur. Institutions can achieve these purposes when they implement effective policies and protocols, provide an adequate service delivery, add to the school’s security measures and offer continuous educational programming.

Below is information on effective sexual assault prevention education programs.

PREVENTION EDUCATION PROGRAMS

Research suggests that educational programs are the most effective sexual assault prevention approach. Many schools, however, have historically provided prevention services geared toward stranger-rape assaults, such as providing campus security accompaniments and/or self-defense training. These programs have limited effectiveness because they miss the key element in campus sexual assaults: a majority of them are committed by individuals known to the victim.

Effective education programs convey accurate information, challenge unhealthy beliefs and attitudes, teach skills and encourage students to form healthy behavioral intentions. Research has found that comprehensive programs with these key components can reduce sexual victimization of college women by up to half.

A wide range of approaches to sexual assault prevention education exist—there is no one way to administer a successful program. However, research has shown that the most effective sexual assault prevention programs usually have several elements in common. These include:

- Teaching and practicing proactive communication skills
- Building victim empathy
- Practicing bystander intervention
- Increasing positive behaviors rather than decreasing negative behaviors

Campus sexual assault prevention education plans should incorporate a range of strategies including primary, secondary and tertiary prevention measures as well as a broad range of media and educational techniques. Sexual assault prevention initiatives must not be limited to environmental safety factors such as installation of enhanced security mechanisms or risk-avoidance techniques such as self-defense courses for women. Such initiatives do not address the root causes of sexual assault or the majority of sexual assaults on campus.

In an effort to strengthen programming, students should be encouraged to participate in the development and delivery of sexual assault prevention education programs aimed at them. Faculty and staff also should be involved in the development and delivery of programs targeting their peer groups. When members of the target audience take an active role, it increases the relevancy of the programming and motivates greater buy-in from peers.

Representatives from various groups on campus also should be consulted in the development of programs and invited to participate in the delivery of sexual assault programming, including cultural minorities, individuals with disabilities, athletes, fraternity and sorority members, nontraditional students, commuter students, parenting students, international students and lesbian/gay/bisexual/transgender individuals. Male students, faculty and staff should play a significant role in developing and delivering sexual assault prevention education.

When planning a sexual assault awareness workshop on campus, take the following elements into consideration.

- **Audience Considerations**

Sexual assault prevention education has been shown to be most effective in single gender audiences. When men and women are addressed separately, it is easier to teach risk-reduction strategies without inadvertently supplying rapists with manipulation tactics or techniques for blaming victims for rape. Also, research shows that men tend to empathize more with victims in all-male settings and especially when at least one male is portrayed as a sexual assault victim. With mixed-gender audiences, focus less on risk reduction for females and more on positive behaviors, communication and bystander intervention. Use local statistics (for your campus, city, state) whenever possible, as research has shown that audiences rarely absorb generalized statistics or an abundance of generalized legal terms and definitions. Presentations should be tailored as much as possible to the particular audience's age, gender, race, and ethnicity.

- **Presenter Considerations**

There is no consensus in the sexual assault prevention field about whether the gender of the presenter(s) matters, although all-male audiences have responded well to some male presenters. Male/female teams may be an especially effective approach, as both presenters can draw on their personal experiences to illustrate some of the gender-specific obstacles to effective communication about sex. There is a positive correlation between the presenters' similarity to the audience (racially, culturally, etc.) and the audience's receptiveness to his/her presentation. Involving student leaders from the group being addressed (i.e., athletes, fraternities, sororities, peer educators, etc.) is a highly-effective approach. It is always more effective to acknowledge cultural specificities, such as communication etiquettes and social settings, with diverse audiences.

- **Presentation Methods**

The most effective sexual assault prevention programs employ several presentation methods. Participants' retention of the information is enhanced when they hear it, see it, write it, read it, speak it and do it. Top administrators should be encouraged to hold several sexual assault awareness presentations throughout the semester. Approaches include:

- Mandatory rape-prevention workshops in residence halls several times a year for first-year students
- Peer-run meetings on alcohol and sexual assault
- Mandatory rape-prevention education as part of coursework for athletes
- Workshops for faculty in sociology, psychology and health education with information to include in their courses
- Workshops for faculty and staff about behavioral indicators, student norms and cultural attitudes related to high-risk or illegal alcohol and other drug use

- **Interactive Learning**

Active learning and critical thinking strategies are more impactful and help students retain more information than traditional lecture formats. Try to get students involved, not just at the level of understanding the issues, but also at the level of problem solving. Ask them why they think sexual assault happens and how they believe it might be prevented. Treat them as equal allies in prevention efforts, rather than “targets” of it.

- **Experience as a Knowledge Base**

As much as possible, give students permission to draw on their own experiences. Engage students in role-plays to practice assertive communication skills, especially asking and listening (for men) and drawing clear boundaries (for women). Brainstorming lists (e.g., risks of nonconsensual sex, myths about rape, reasons a person may have difficulty communicating) can be an effective way of allowing students to teach each other the subject, rather than being passive listeners in a lecture format.

- **Victim Empathy**

There is strong support for including victim empathy in rape prevention programs. Victim empathy is a cognitive-emotional recognition of the kind of trauma that rape victims experience. The belief is that students who understand the painful experience of sexual assault will not inflict that type of injury on anyone and will be more likely to help someone who has been raped. Whenever males are in the audience, empathy-inducing exercises should include at least one scenario where the victim is a male. In order to reflect the reality of male rape, the perpetrator also should be male, someone who knows or is close to the victim and heterosexual.

Effective vs. Ineffective Sexual Assault Prevention Programs

The table below summarizes programmatic responses to sexual assault of college students, the mechanism by which they are intended to work, the conditions under which they ought to work best and some factors to consider before a particular response is implemented. In most cases, an effective strategy will involve implementing several different responses.

<i>Key Responses</i>				
#	Response	How It Works	Works Best If...	Considerations
1	Conducting sexual assault prevention programs for college men in general	Removes excuses for rape by increasing men's knowledge	...programs are designed to change behavior- not just attitudes-and coincide with high-risk times	Finding adequate time for programs before or during high risk times. Researchers recommend combining the programs with prevention programming targeting substance abuse
2	Conducting sexual assault risk-reduction programs for college women	Increases effort offenders must make to commit rape and increases the risk that they will be identified	...programs are designed to change behavior, not just increase knowledge	It is the victim's choice whether to report a rape and identify the offender; however, colleges should strongly support reporting, even anonymously
3	Developing risk reduction plans to prevent repeat victimization	Increases the effort offenders must make	...college counseling personnel work with victims—without blaming them—to develop individualized plans	May be difficult to identify victims. Victims must choose to come forward and may do so only if they think more good than harm will come from it
4	Educating police/campus security about non-stranger sexual assault of college students	Increases the likelihood that police will participate in developing appropriate rape reduction initiatives for students	...police are trained before classes start	Often requires police to examine their prevention and investigation approaches to non-stranger sexual assault
5	Conducting non-stranger sexual assault prevention programs for college administrators, judicial officers and other key campus personnel	Increases campus personnel's knowledge and enables them to appropriately respond to victims and offenders	...programs are completed before classes start	Requires extensive coordination, open access to campus personnel and school leaders' commitment to support rape prevention efforts
6	Conducting sexual assault prevention programs geared toward campus athletes and fraternity members	Removes excuses for rape by changing men's attitudes toward women and setting explicit rules	...coaches, fraternity leaders and fraternity alumni leaders support the programs	Programs should be presented as a means to prevent harm, not as a punishment

<i>Responses With Limited Effectiveness</i>				
#	Response	How It Works	Works Best If...	Considerations
7	Providing student escort and/or shuttle services	Reduces the risk of stranger rape	...combined with comprehensive efforts to reduce non-stranger sexual assaults	Campus women's groups often advocate these services
8	Providing rape aggression defense training	Increases the effort stranger rapists must make	...combined with comprehensive efforts to reduce non-stranger sexual assaults	Campus women's groups often advocate for this training

2. SEXUAL ASSAULT PREVENTION MODULES

- A. Sexual Assault Prevention Program for College Men
- B. Sexual Assault Prevention Program for College Women
- C. Sexual Assault Prevention Program for Campus Police
- D. Sexual Assault Prevention Programs for College
Administrators and Campus Judicial Affairs
- E. Sexual Assault Prevention Program for Campus
Healthcare Staff
- F. Sexual Assault Prevention Program for Faculty and Staff

2.A. SEXUAL ASSAULT PREVENTION PROGRAM FOR COLLEGE MEN

- A.1. Overview
- A.2. Training Outline
- A.3. Workshop Presentation
- A.4. Workshop Activities
- A.5. Additional Materials

2.A. SEXUAL ASSAULT PREVENTION PROGRAM FOR COLLEGE MEN

A.1. OVERVIEW OF SEXUAL ASSAULT AND COLLEGE MEN

While responses to sexual assault on college campuses have traditionally focused on modifying the behaviors of women and potential victims, this is changing. Risk reduction programs no longer place the responsibility for stopping rape solely on potential victims' shoulders. Instead, programs are increasingly focused on preventing perpetration and empowering men to intervene as active bystanders. Only by changing the culture of thinking around the issue of sexual violence will programs be effective. While most men do not rape, most rapists are men. The primary message for both men and women should be that we must get men involved to stop rape.

College men's attendance should be mandatory, both at the initial program and at follow-up programs during the freshman year and at the start of the sophomore year. If not mandated, colleges and universities can offer participants credits for participating in this program.

Key program elements should include the following:

- A pre- and post-test of the men's knowledge, skills and awareness of and behavior concerning sexual assault;
- Accurate definitions of stranger, acquaintance, party, gang and date rape;
- Information about related state laws and sanctions, as well as college rules and sanctions (*each state has different sexual assault laws; in most states, the use of physical force is not a requirement for a rape to have occurred*);
- The use of realistic scenarios to illustrate risky situations in which men may find themselves;
- A discussion of the relationship between rape and alcohol use;
- A discussion about consent, including the use of consent scenarios to show what is required (*individuals cannot legally engage in intercourse without explicit consent—state laws require consent and in most states, it cannot be obtained if the person is drunk*);
- A discussion of commonly held misconceptions about a man's "right" to sex;
- A discussion about "scoring" and how it devalues women by treating them as objects of conquest;
- An emphasis on the immediate and long-term psychological harm to acquaintance rape victims;
- A discussion of men's roles in stopping rape, including alternatives to violence and bystander intervention; and
- A follow-up survey several months after the programs to assess knowledge, skills and awareness retention and behavioral change.

Fraternities

Facilitators working with colleges and universities with a strong Greek system may want to tailor a program specifically to fraternities. While it is important to resist stereotyping all fraternities and brothers, it is important to understand the culture of rape that may exist in some Greek systems.

According to one study, fraternity members were found to drink far greater amounts of alcohol and do so more frequently, than do other students on campus (Wechsler, et al., 2002). Students affiliated with such organizations, whether full members, pledges or friends/guests attending the parties, thus constitute a high-risk population for alcohol abuse and its consequences. A disproportionate number of documented gang rapes involve fraternity members. Research on reported gang rapes committed by college students found that fraternity members committed 55 percent of them (Bohmer & Parrot, 1993; Sampson, 2002). Fraternities often have a unique place on campus; they are typically housed in private residences (with many private rooms) and hold large unsupervised parties, often with free-flowing alcohol. Some men approve of getting a woman drunk to have sex. This, combined with some fraternities' emphasis on loyalty above identifying members who rape, has put fraternities in the center of controversy because a disproportionate number of reported rapes occur on their property. A number of researchers believe that certain fraternities, because of their practices, are more rape-prone than others, placing sorority members (and other frequent female attendees at fraternity parties) at greater risk of rape. For instance, Humphrey and Kahn (2000) found that college women correctly identify the campus fraternities and athletic teams that are high risk and low risk for rape, based on the type of parties they have had. Many national Greek organizations now require education for their local chapters concerning sexual assault and alcohol consumption and some now mandate "dry" houses.

Things to Know About Fraternity Customs and Culture

Joining a fraternity means invitations to and often mandatory attendance at parties; a chance to live outside of the dorms in a communal and largely authority-free house; a ready-made set of friends; status; group identity; and organized gatherings with women. Honor, loyalty, service, brotherhood and respect for the fraternity are cornerstones of the Greek system.

- ***Fraternity is family.*** A fraternity is a brotherhood that has intense family ties and heritage. Its secretiveness is intentional. Brothers are expected to hold certain activities and information in the strictest confidence.
- ***Greek men feel that fraternities are overly targeted as scapegoats for sexual assaults.*** Caution should be used when referencing fraternity culture in response to sexual assault.
- ***Little sisters/sweethearts are sometimes targets of sexual violence.*** Little sisters or sweethearts are females in sororities who are "adopted" into the fraternity. The function of little sisters varies, but may include attending functions, cleaning the house, playing hostess/barmaid at parties, acting as a liaison to a sorority or helping brothers pair up with dates for formals and other parties.
- ***Fraternities promote self-improvement.*** Facilitators working with this population may want to address this issue and how it relates to sexual assault awareness.

Athletes

Facilitators working with a college with a strong athletic culture may want to tailor a program specifically to athletes. Athletics can be an asset in the lives of college and university students, offering them a support network, opportunities for success and accomplishment and healthy ways to cope with and release stress. However, it is important to understand the link between sexual assault and athletes.

College athletes, who comprise only a small percentage of the student population, are disproportionately reported to campus judicial officers for acquaintance rape (Koss & Cleveland, 1996; Sampson, 2002). It is unclear whether they actually offend more or whether students tend to report them more (perhaps angered by athletes' esteemed and privileged status). On some campuses, revenue-generating athletes (usually football and basketball players) may believe they are immune to campus rules (and sometimes are) and take advantage of "groupies" or other women they perceive as sexually interested in them.

Athletes are socialized in unique ways in our culture. A facilitator targeting college athletes may want to take the following points into consideration:

- Their high status and fame on college campuses may support feelings of impunity and the belief that they are above the law.
- They are often trained to be aggressive on the field, court or ice and many may not know when or how to turn the aggression off after the game.
- They also may not know how to receive and respond to the attention of female fans.
- While athletic opponents are intended to be adversaries, problems arise when men also view sexual relationships as adversarial. For example, a perpetrator may perceive a victim's refusals as just part of "the game" and as an interference with his winning or "scoring."
- Society's use of sports metaphors when talking about sex (i.e. "scoring," "first, second, third base and the homerun" also add complexity to the issue).
- Phrases used by some coaches and players foster a sexist culture: "Take your skirt off and get aggressive," "You're playing like a bunch of girls," and "You don't deserve to be called men."
- It has been reported that many of the gang rape charges involving athletes seem to involve members of such contact team sports as football, basketball and lacrosse rather than athletes from such individual non-aggressive sports as tennis and golf.

Gang rapes on campus are most often perpetrated by men who participate in intensive male peer groups that foster rape-supportive behaviors and attitudes. Involvement in these types of groups may help some men quell doubts about the inappropriateness of their behavior, particularly when their team or fraternity holds prestige on campus.

It is important to note that if fraternities and athletes are educated about rape only after an incident occurs, they may perceive it as a punishment rather than as a proactive rape prevention effort.

A.2. TRAINING OUTLINE FOR COLLEGE MEN

3 minutes	<u>Activity 1: Complete-the-Sentence Worksheet</u>
10 minutes	Introduction <ul style="list-style-type: none">A. Housekeeping detailsB. Introduction of presentersC. Introduction of Agency
7 minutes	<u>Activity 2: Illegal Motion Scenario and Train of Thought</u>
90 minutes	Presentation <ul style="list-style-type: none"><u>A. Why Should Men Care About Sexual Violence?</u><u>B. What Is Sexual Assault?</u><u>C. State Laws and College Rules and Sanctions</u><u>D. Sexual Assault and Force</u><u>Activity 3: Forced Choice</u><u>E. Myths and Facts</u><u>F. The Link Between Alcohol and Sexual Assault</u><u>Activity 4: Kara and Daniel</u><u>G. Nature of Consent</u><u>Activity 5: Sexual Communication</u><u>H. Immediate and Long-term Effects of Sexual Assault</u><u>Activity 6: A Date; The Interior Dialogue</u><u>I. The Role of Bystanders</u><u>Activity 7: Bystander Scenarios</u><u>J. Ways Men Can End Rape</u>
10 minutes	Closure and Q & A

A.3. WORKSHOP PRESENTATION FOR COLLEGE MEN

[Activity 1: Complete-the-Sentence Worksheet](#)

Introduction

[Activity 2: Illegal Motion Scenario and Train of Thought](#)

Presentation:

Rape is one of the most common violent crimes on American college campuses today.¹
Data suggests that one in five young women experiences rape during college.²

Talking Points

College women are raped at significantly higher rates than college men. College men are more likely to report experiencing unwanted kissing or fondling than intercourse. College men who are raped are usually raped by other men. However, since so few men report, information is limited about the extent of the problem. Since so little information is available about acquaintance rape of college men, this presentation focuses on college women.

¹Finn, P. (1995). *Preventing Alcohol-Related Problems on Campus: Acquaintance Rape – A Guide for Program Coordinators*. Newton, MA: Higher Education Center for Alcohol and Other Drug Prevention.

Fisher, B., Sloan, J. & Cullen, F. (1995). *Final Report: Understanding Crime Victimization Among College Students: Implication for Crime Prevention*. Washington, DC: U.S. Department of Justice.

Sampson, R. (2002). *Acquaintance Rape of College Students*. Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services.

²Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*. Washington, DC: U.S. Department of Justice, National Institute of Justice and Bureau of Justice Statistics.

Why should men care about sexual violence?

Men know survivors. One in five young women experiences rape during college.¹ Those victims could have been their mothers, sisters, girlfriends or friends.

Sexual violence affects men's relationships with women.

Men can stop sexual violence. Most men don't rape.

Talking Points

Men know survivors.

At some point in a man's life, it is very likely that someone close to him will disclose that he/she is a survivor of sexual violence and ask for help (Fisher, Cullen & Turner, 2000). Men must be prepared to respond with care, sensitivity, compassion and understanding. Lack of knowledge about rape and its impact can only hinder the healing process and may even contribute to the survivor feeling further victimized. A supportive male presence during a survivor's recovery can

be invaluable. Many survivors get help because of the love and support of boyfriends, brothers and fathers.

Sexual violence affects men's relationships with women.

Some women are sexually assaulted by strangers but the vast majority of survivors have been assaulted by someone they know, trust or even love. If someone you love has been abused or raped, she may have a hard time trusting men. Another man's violence can damage the relationships in your life. More subtle things can affect a woman's ability to trust men as well, such as the fear of being raped, images of violence against women in the media and news stories about sexual assault.

Men can stop sexual violence.

All men can play a vital role in stopping sexual violence by challenging rape-supportive attitudes and behaviors and by raising awareness about the damaging impact of sexual violence. Every time a man's voice joins those of women in speaking out against rape, the world becomes safer for us all.

The bystander scenario we just read demonstrated that every man has the potential to stop rape. Step up and speak out. You may also be wondering about the answers to the discussion questions: What is rape? What is consent? Let's begin...

What is sexual violence?

Sexual violence is any unwanted sexual contact. It includes unwanted intercourse (vaginal, oral or anal) and/or touching, fondling or groping of sexual body parts. It can be committed by the use of threats or force or when someone takes advantage of circumstances that render a person incapable of giving consent.

Talking Points

Having intercourse with someone who is unconscious or intoxicated is sexual assault.

West Virginia Sex Crime Laws

§61-8B-3. Sexual assault in the first degree.

(a) A person is guilty of sexual assault in the first degree when:

1. The person engages in sexual intercourse or sexual intrusion with another person and, in so doing:
 - (i) Inflicts serious bodily injury upon anyone; or
 - (ii) Employs a deadly weapon in the commission of the act; or
2. The person, being fourteen years old or more, engages in sexual intercourse or sexual intrusion with another person who is younger than twelve years old and is not married to that person.

(b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than fifteen nor more than thirty five years or fined not less than one thousand dollars nor more than ten thousand dollars

and imprisoned in a state correctional facility not less than fifteen nor more than thirty five years.

(c) Notwithstanding the provisions of subsection (b) of this section, the penalty for any person violating the provisions of subsection (a) of this section who is eighteen years of age or older and whose victim is younger than twelve years of age, shall be imprisonment in a state correctional facility for not less than twenty five nor more than one hundred years and a fine of not less than five thousand dollars nor more than twenty five thousand dollars.

§61-8B-4. Sexual assault in the second degree.

(a) A person is guilty of sexual assault in the second degree when:

1. Such person engages in sexual intercourse or sexual intrusion with another person without the person's consent and the lack of consent results from forcible compulsion; or
2. Such person engages in sexual intercourse or sexual intrusion with another person who is physically helpless.

(b) Any person who violates the provisions of this section shall be guilty of a felony and, upon conviction thereof, shall be imprisoned in the penitentiary not less than ten nor more than twenty five years or fined not less than one thousand dollars nor more than ten thousand dollars and imprisoned in the penitentiary not less than ten nor more than twenty five years.

§61-8B-5. Sexual assault in the third degree.

(a) A person is guilty of sexual assault in the third degree when:

1. The person engages in sexual intercourse or sexual intrusion with another person who is mentally defective or mentally incapacitated; or
2. The person, being sixteen years old or more, engages in sexual intercourse or sexual intrusion with another person who is less than sixteen years old and who is at least four years younger than the defendant and is not married to the defendant.

(b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than one year nor more than five years or fined not more than ten thousand dollars and imprisoned in a state correctional facility not less than one year nor more than five years.

§61-8B-7. Sexual abuse in the first degree.

(a) A person is guilty of sexual abuse in the first degree when:

1. Such person subjects another person to sexual contact without their consent and the lack of consent results from forcible compulsion; or
2. Such person subjects another person to sexual contact who is physically helpless; or

3. Such person, being fourteen years old or more, subjects another person to sexual contact who is younger than twelve years old.

(b) Any person who violates the provisions of this section shall be guilty of a felony, and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than one year nor more than five years, or fined not more than ten thousand dollars and imprisoned in a state correctional facility not less than one year nor more than five years.

(c) Notwithstanding the provisions of subsection (b) of this section, the penalty for any person violating the provisions of subsection (a) of this section who is eighteen years of age or older and whose victim is younger than twelve years of age, shall be imprisoned for not less than five nor more than twenty five years and fined not less than one thousand dollars nor more than five thousand dollars.

§61-8B-8. Sexual abuse in the second degree.

(a) A person is guilty of sexual abuse in the second degree when such person subjects another person to sexual contact who is mentally defective or mentally incapacitated.

(b) Any person who violates the provisions of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be confined in the county jail not more than twelve months or fined not more than five hundred dollars and confined in the regional jail not more than twelve months.

§61-8B-9. Sexual abuse in the third degree.

(a) A person is guilty of sexual abuse in the third degree when he subjects another person to sexual contact without the latter's consent, when such lack of consent is due to the victim's incapacity to consent by reason of being less than sixteen years old.

(b) In any prosecution under this section it is a defense that:

1. The defendant was less than sixteen years old; or
2. The defendant was less than four years older than the victim.

(c) Any person who violates the provisions of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be confined in the county jail not more than ninety days or fined not more than five hundred dollars and confined in the county jail not more than ninety days.

Sexual Assault and Force

Force in sexual assault can be more subtle than weapons and physical injury and may include:

- Not listening when the person says “no”
- Quid pro quo bargaining
- Bargaining with negative consequences within the relationship
- Emotional intimidation
- Role intimidation
- Physical intimidation
- Threatening to harm another person
- Implying that something bad will happen if the person does not give in
- Getting the person drunk or high in order to have sex
- Physical force

Silence is not consent!

Talking Points

When many people think about rape, they often picture someone overpowering the victim with a weapon or brute strength. But the force used in most college sexual assaults often takes a different form. It includes various forms of physical and emotional manipulation.

Not listening when the person says “no.”

Quid pro quo bargaining: Claiming to have “earned” sexual contact or that the other person “owes” it, based on something already done or offered.

Bargaining with negative consequences within the relationship: This involves trying to influence the other person to have sex by pointing out the damage to the relationship by not complying. This can be viewed as giving the person a warning or a threat. For example, “If you don’t have sex with me, I’ll start dating someone else.”

Emotional intimidation: Threatening or actually making verbal attacks against the person, in ways that are more abusive than simple expressions of anger.

Role intimidation: Using the authority of one’s job or role to threaten loss of income or status. For college students, this could mean using one’s social standing to threaten loss of status in social groups.

Physical intimidation: Refusing to leave the room, invading personal space, etc. without physical contact.

Threatening to harm another person.

Implying that something even worse will happen if the person does not give in.

Getting the person drunk or high in order to have sex: It is considered sexual assault if the victim is unconscious or intoxicated. If you are drunk, under the influence of a drug other than alcohol, unconscious or otherwise unable to say “no” to a potential sexual partner, you are not capable of giving consent. Under any of these circumstances, even saying “yes” does not constitute consent.

Physical force: Grabbing, holding, twisting arms, etc. in order to continue sexual activity. This includes physically insisting on continuing sexual contact in the face of resistance.

Silence is not consent. Sometimes victims are too scared, disoriented or shocked to say no or fight back. Frozen fright is a normal response to a traumatic event and can immobilize its victims. This does not mean they consented to the sexual activity.

Activity 3: Forced Choice

Myths and Facts

MYTH: Rape is caused by the perpetrator's uncontrollable sexual urge.

FACT: Rape is an act of power and control, not sex. Rapes are often planned.¹

MYTH: Most rapists are strangers to their victims.

FACT: On college campuses, 90 percent of sexual assaults are committed by someone known to the victim.²

MYTH: The victim must have "asked for it" by being seductive, careless, drunk, etc.

FACT: The blame lies with the perpetrator. Poor judgment is not a "rape-able" offense.³ Also, since most rapes are planned, what the victim is wearing could not be a factor.

MYTH: Women lie about sexual assault to save their reputation or to get revenge.

FACT: FBI statistics show that only 3 percent of reported rapes are false reports. Rape is a vastly underreported crime.⁴

¹ On college campuses, for example, alcohol plays a large role in sexual assault. Men who have committed sexual assault frequently report getting their female companions drunk as a way of making it easier to talk or force them into having sex. Abbey, A. (2002). Alcohol-Related Sexual Assault: A Common Problem among College Students. *Journal of Studies on Alcohol*, Supplement 14: 118-128.

² Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*.

³ Many perpetrators use alcohol as a weapon to control their victims. As part of their plan, they encourage the woman to use alcohol or target a woman who is already drunk.

⁴ The false-report rate of rape is the same rate for other kinds of felonies. In fact, most sexual assaults are not reported to the police. Fewer than 5 percent of college women who are victims of rape or attempted rape report it to police (Fisher, Cullen & Turner, 2000). For victims, the criminal justice system can be so taxing, expensive and traumatic, it is likely that few would go through this process in order to "get revenge." More people fake their own death than falsely report rape.

The Link between Alcohol and Sexual Assault

At least 50 percent of college students' sexual assaults are associated with alcohol use.¹

In 81 percent of the alcohol-related sexual assaults, both the victim and the perpetrator had consumed alcohol.¹

¹ Abbey, A. (2002). Alcohol-Related Sexual Assault: A Common Problem among College Students.

The Link between Alcohol and Sexual Assault

Disinhibition

- Loosening up, relaxing
- Justify acting out, misbehaving
- Intoxication limits ability to consider long-term consequences

Expectation About Alcohol's Effect

- Aphrodisiac
- Self-fulfilling prophecy

Beliefs About Women Who Drink

- More sexually available and promiscuous
- Held responsible for assault
- Rapists blame alcohol, victims blame themselves

Misinterpretation of Verbal and Nonverbal Cues

- Less able to process multiple cues; instead, focus on most prominent cues

Alcohol's Effect on Women's Ability to React to Risk

- Less able to process multiple cues
- Effects on motor skills

Strategy

- Alcohol as a weapon

Talking Points

Disinhibition

Many people use alcohol when they want to relax, blow off steam and loosen up. However, alcohol is often used as an excuse for acting out, misbehaving or committing a crime. If a perpetrator already possesses several of the characteristics for perpetration (i.e., coercive sexual fantasies, impulsive and antisocial tendencies, stereotypic views of women's sexual behavior) alcohol acts as a permission slip for sexual assault, by reducing inhibitions.

Expectations about Alcohol's Effect

Alcohol is commonly viewed as an aphrodisiac that increases sexual desire and capacity. Expectations have a power of their own. When people expect a certain outcome, they tend to act in ways that enhance the likelihood that the outcome will occur. Alcohol reduces motor function and has also been shown to reduce a person's ability to analyze complex social situations appropriately (Sampson, 2002). This may lead the victim or perpetrator to ignore or misunderstand typical sexual cues (Sampson, 2002).

The beliefs and expectations some perpetrators may hold about alcohol may predispose them to act sexually and aggressively after drinking alcohol. In other words, it becomes a self-fulfilling prophecy. For example, if a man starts out the evening thinking, "I'm going to have sex tonight," drinking alcohol may cause him to interpret or reinterpret a woman's behavior in a way that fits his original hypothesis, ignoring cues that she is not interested (Abbey, et. al., 2002). Men with these expectations may feel more comfortable forcing sex when they are drinking because they can later justify to themselves (and others) that the alcohol made them act accordingly.

Beliefs about Women Who Drink

In our society, women who drink alcohol are frequently perceived as being more sexually available and sexually promiscuous than women who do not drink alcohol.

Women who were drunk when raped are often viewed by others as partially responsible for what happened. American gender role norms about dating and sexual behavior still largely encourage men to be forceful and dominant. Women are expected to set limits on sexual activities and are often held responsible when men overstep them.

It is no wonder, then, that many women feel that sexual assault is their fault – especially if they had been drinking prior to the assault. While perpetrators often use alcohol to excuse sexual assault, it has been suggested that a large percent of college-age rape victims blame themselves entirely for the attack because they were using drugs or alcohol (Sampson, 2002; Schwartz & Leggett, 1999).

Misinterpretation of Verbal and Nonverbal Cues

Men and women frequently interpret verbal and nonverbal cues of sexual intent differently. Cues used to convey sexual interest are often indirect and ambiguous, thus friendliness is sometimes mistaken for flirtation. Although not an excuse, when alcohol use is added to the situation, misinterpretation of cues can increase and result in sexual assault.

When intoxicated, people are less able to attend to multiple cues and instead tend to focus on those that are most prominent. Thus, if an intoxicated man is sexually attracted to his female companion, he may misinterpret any friendly actions by the female as an interest in having sex with him (Abbey, 2002). If the woman is not direct and forceful about her lack of interest in sex, the man is often likely to interpret her behavior as coyness, rather than as a refusal. One study showed that if a man was drinking alcohol when the woman rejected sexual advances, the perpetrator was more likely to feel “led on” and consequently justified for forcing sex on the woman (Abbey, 2002). This is why it is critical that men obtain explicit verbal consent in sexual encounters.

Alcohol’s Effect on Women’s Ability to Assess and React to Risk

Alcohol may limit a person’s ability to identify and respond to warning signs or red flags concerning sexual violence. Drinking may lower a person’s inhibitions and slow their responses to danger. For example, drinking alcohol may make it difficult for a woman to notice a man’s attempts to get her into an isolated location or his encouragement to drink even more. Alcohol’s effects on motor skills may limit a woman’s ability to resist sexual assault effectively.

Researchers have found that sexual assault victims who reported being at least somewhat drunk were less likely to use physical resistance strategies than were victims who were not drunk.

Strategy

Many perpetrators use alcohol as a weapon to obtain sex, knowing its effects on inhibition and cognitive and motor skills. Unfortunately, many male-centric groups and organizations create a social environment in which sexual coercion is normalized. Offenders often ply women with alcohol or target an already intoxicated woman. “Candy is dandy, but liquor is quicker” is a familiar refrain that is often used on campuses to describe this form of coercion (Nash, 2007).

[Activity 4: Kara and Daniel](#)

The Nature of Consent

What is consent?

Both partners need to be fully conscious and aware.

Both partners are equally free to act.

Both partners clearly communicate their willingness and permission.

Both partners have the right to give *specific* permission.

Both partners are positive and sincere in their desires.

Both partners need to be fully conscious and aware: Someone who is under the age of consent, drunk, under the influence of a drug other than alcohol, unconscious or otherwise unable to say "no" to a potential sexual partner is not capable of giving consent. Under any of these circumstances, even saying "yes" does not constitute consent. The use of alcohol or other substances can interfere with someone's ability to make clear decisions about the level of intimacy he/she is comfortable with. The more intoxicated a person is, the less he/she is able to give conscious consent.

Both partners are equally free to act. The decision to be sexually intimate must be made without coercion. Factors such as body size, previous victimization and other fears can prevent an individual from freely consenting. Saying "yes" to sexual contact is not the same as giving consent if the person is pressured, coerced, manipulated or forced to say "yes." For example, imagine that a mugger puts a gun to your head and demands your wallet. If you say "yes" and give him your wallet, have you given him consent? Obviously not. You are engaged in safety planning. For sexual consent to exist, both people have to not only be *willing* to participate, but *want* to participate.

Both partners clearly communicate their willingness and permission. Willingness and permission must be communicated clearly and unambiguously. Just because a person fails to resist sexual advances does not mean that she/he is willing. Consent is not the absence of the word "no."

Both partners have the right to give *specific* permission. Saying "yes" to one sexual act does not entitle a person to assume that the other person is giving permission to other acts. For example, if an individual has given someone permission to kiss her/him, the other person cannot assume that she/he wants to have sexual intercourse with him/her.

Both partners are positive and sincere in their desires. It is important to be honest in communicating feelings about consent. If one person states his/her desires, the other person can make informed decisions about the encounter.

[Activity 5: Sexual Communication](#)

Immediate and Long-term Effects of Sexual Assault

Shock and disbelief

Recurring thoughts

Memories, nightmares, flashbacks

Self-blame and shame

Fears about safety

Psychological disorders

Other effects may include:

Depression

Social withdrawal

Numbing/apathy (detachment, loss of caring)

Reduced ability to express emotions

Difficulty concentrating

Diminished interest in activities or sex

Promiscuity

Impaired memory

Loss of appetite and eating disorders

Thoughts of suicide and death

Substance abuse

Dropping out of school

Difficulty holding down a job

It is normal for survivors to experience a range of feelings after a sexual assault and all survivors will react to the incident in their own way. One survivor may feel intense anger and even have feelings of revenge, while another may feel numb.

Shock and disbelief

Immediately after the assault most victims are in a state of shock. Some will act as if nothing has happened, trying to make life seem normal. Others find themselves in a daze, having difficulty focusing or getting mobilized.

Recurring thoughts

There may also be periods when survivors are preoccupied with thoughts and feelings about the assault. They may have unwanted memories, flashbacks or nightmares. When they think about what happened, they may re-experience some of the sensations and feelings they had during the assault, such as fear and powerlessness.

Self-blame and shame

They may feel that the assault was their fault or that they could have done something to prevent it. They may feel guilty, ashamed and vulnerable in ways they have never experienced before.

Fears about safety

They may have trouble trusting other people. Sexual intimacy may be difficult if it brings painful memories or a fear of losing control. A survivor may feel alone in his/her experience and that no one can understand.

Psychological disorders

The chances that a victim will develop post-traumatic stress disorder (PTSD) after an assault are between 50 and 95 percent (Population Information Program, 2000).

All of these feelings and reactions are normal responses to sexual assault. It is also common for some feelings to resurface or new ones to emerge later on in a survivor's life. Periods of stress, new intimate relationships, the anniversary of the incident or situations such as seeing the perpetrator or testifying in court can trigger intense feelings.

Activity 6: A Date; The Interior Dialogue

THE ROLE OF BYSTANDERS

Clarification

“Could you explain what you mean by that?”

Bring it home

Humanize the person being demeaned

Silent stare

Disapproval is a powerful tool

Group intervention

“Am I the only one uncomfortable with this?”

Distraction

Act as interruption

We’re friends, right?

Personal conversation

Clarification

People who express attitudes consistent with the rape culture expect people to go along with them, to laugh, to agree, to join in. They do not expect to be questioned. Saying, “I’m not clear about what you mean by that. Maybe you could explain?” or some other form of clarification helps to change the dynamic and flow of conversation. It is especially important to do this in a non-aggressive way.

Bring it home

This strategy re-humanizes the person being demeaned. Reminding someone that their sister, mother or girlfriend might be talked about in this way often reminds people of women's humanity.

Silent stare

This strategy carries considerable weight. No words need to be spoken.

Group intervention

Studies indicate that 90 percent of men are at times uncomfortable with how their male peers talk about or treat women, but almost always remain silent because they believe they are the only ones who feel uncomfortable. This strategy is designed to let others know that they are not alone in their discomfort. For example, you might simply turn to the group and ask, "Am I the only one uncomfortable with this?" Or, if there is one particular person who most often uses negative language or actions toward women, confront this person as a group.

Distraction

The goal of this strategy is not to directly confront rape-supportive behaviors, but rather to interrupt them. This is an especially useful technique in dealing with situations such as street harassment or an assault in progress. Simply asking someone for the time or for directions might be enough to interrupt the behavior and give the target the opportunity to escape.

We're friends, right?

Most people recognize that this strategy works best if you take your friend off to the side or wait until later to confront him or her. That way, you can avoid humiliating your friend and increase the likelihood that he or she will be able to hear and value what you say.

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[Activity 7: Bystander Scenarios](#)**WAYS MEN CAN END RAPE**

Approach sexual assault as a MEN's issue.

Don't remain silent.

Have the courage to look inward.

Ask if you can help.

Be an ally to women.

Don't fund sexism.

Approach sexual assault as a MEN's issue

Most men are not perpetrators or possible offenders, but empowered bystanders who can confront abusive peers. One in five college women will be the victim of sexual assault. Chances are, you know a victim. Sexual assault affects the victim's sense of trust and intimate relationships.

Don't remain silent

If someone you know is a perpetrator or potential perpetrator – or is disrespectful to women in general – don't look the other way. If you feel comfortable doing so, talk to him about it. Or if you don't know what to do, consult a friend, parent, professor or counselor.

Have the courage to look inward

Question your own attitudes. Try hard to understand how your attitudes and actions might perpetuate sexism and violence and work toward changing them. Don't be defensive when something you do or say hurts someone else.

Ask if you can help

If you suspect that a woman close to you has been sexually assaulted, gently ask if you can help.

Be an ally to women

Support the work of campus-based women's centers. Raise money for community-based rape crisis centers. If you belong to a team, fraternity or another student group, organize a fundraiser.

Don't fund sexism

Refuse to purchase any magazine, rent any video, subscribe to any Web site or buy any music that portrays women in a sexually degrading or abusive manner.

(Adapted from "10 Things Men Can Do to Prevent Gender Violence" by Jackson Katz, director of MVP Strategies)

A.4. WORKSHOP ACTIVITIES FOR COLLEGE MEN

ACTIVITY 1: COMPLETE THE SENTENCE WORKSHEET

Supplies: Complete-the-Sentence worksheet
Pencils

Directions:

- 1) Pass out the Complete-the-Sentence worksheet to all participants as they enter the room.
- 2) Ask them to complete the sentences as honestly as they feel comfortable. Inform participants that you will be reading the answers aloud throughout the presentation to spark discussion on sexuality and sexual assault.
- 3) Collect all the worksheets after three minutes. Throughout the presentation, revisit participants' answers.

1. Someone is giving me a sexual come-on when...

Discuss participants' answers to this statement during "Beliefs About Women Who Drink" while covering the relationship between rape and alcohol use OR following the Interior Monologue Role-Play during the discussion on the "Nature of Consent." Men and women frequently interpret verbal and nonverbal cues of sexual intent differently. Men often perceive women's friendly behavior as a sign of sexual interest, even when it is not intended that way. Cues used to convey sexual interest are often indirect and ambiguous, thus it is easy to mistake friendliness for flirtation. Adding alcohol use to the situation increases the possibility of misinterpretation and can increase the likelihood of a sexual assault.

2. I feel I am owed sex when...

Discuss participants' answers to this statement during "Nature of Consent." No one is "owed" sex. The decision to be sexually intimate must be made without coercion. Coercion can take the form of force, physical intimidation, emotional bribery, threats and guilt. Both partners have the option to choose to be intimate or not and are free to change "yes" to "no" at any time.

3. In sexual situations, alcohol makes me...

Discuss participants' answers to this statement during "Expectations about Alcohol's Effect" while covering the relationship between rape and alcohol use. Alcohol is commonly viewed as an aphrodisiac that increases sexual desire and capacity. Expectations have a power of their own. When people expect a certain outcome, they tend to act in ways that enhance the likelihood that the outcome will occur. The beliefs and expectations some men may hold about alcohol may predispose them to act sexually and aggressively after drinking alcohol.

4. “Hooking up” means...

Discuss participants’ answers to this statement during “Misinterpretation of Verbal and Nonverbal Cues” while covering the relationship between rape and alcohol use. Not everyone includes the same sexual activities under this term. The vagueness can lead to unmet expectations or unwanted sexual contact when people decide to engage in sexual activity. Consent to one form of sexual activity does not imply consent to all forms of sexual activity.

5. When a woman is really drunk...

Discuss participants’ answers to this statement during “The Nature of Consent” OR during the discussion on “The Role of Bystanders” in preventing sexual assault. Many men may not be aware that sex with someone who is intoxicated is sexual assault. The use of alcohol or other substances can interfere with someone's ability to make clear decisions about the level of intimacy he/she is comfortable with. The more intoxicated a person is, the less he/she is able to give conscious consent.

COMPLETE-THE-SENTENCE

Complete the following sentences. Be as honest and detailed as you feel comfortable. We will discuss your responses throughout today's presentation.

1. Someone is giving me a sexual come-on when . . .

2. I feel I am owed sex when . . .

3. In sexual situations, alcohol makes me . . .

4. "Hooking up" means . . .

5. When a woman is really drunk . . .

ACTIVITY 2: ILLEGAL MOTION

Supplies: Illegal Motion Scenario and Train of Thought

Directions:

- 1) Ask for two volunteers to participate in the activity. One will read aloud the Illegal Motion Scenario. The other will read aloud the accompanying Train of Thought.
- 2) After both the scenario and train of thought have been read, use the following questions to initiate discussion on potential options, alcohol, consent and rape.

This is a realistic scenario that many of the men may experience/witness on a regular basis at parties and bars. By introducing the workshop with a bystander scenario, facilitators can ease participants' feelings of defensiveness by addressing them as allies in the fight against sexual assault rather than potential perpetrators.

Discussion Questions:

- 1) What would you do as a bystander in this situation?
Potential options include:
 - Nothing. It's none of my business.
 - Talk to my friend. Remind him that he has to be careful in dealing sexually with a woman who is drunk.
 - Gather some of our other friends and get him to leave her alone.
 - Find one or more of her friends and urge them to take her home.
 - Tell the host/hostess of the party that you're worried about the situation and warn him/her that he/she might have some legal responsibility to act.
 - Ask your friend to help you with something as a distraction.
- 2) How many people here know the legal definition of rape?
- 3) How many people feel confident that you understand when someone is or is not able to give consent to sexual activity when alcohol is involved?
- 4) Does anyone know what the law is regarding alcohol and consent?

ILLEGAL MOTION

Read aloud the following scenario.

At a party, you see a male friend trying to get an obviously drunk woman to leave with him. She's not just buzzed; she's stumbling over her own feet. You know the woman and she seems reluctant.

TRAIN OF THOUGHT

Read aloud the accompanying train of thought of the bystander.

Is this any of my business? Men and women who are drinking hook up all the time. Then again, she looks really drunk. Maybe she's not in a position to make a good decision. I know a lot of "acquaintance rapes" involve alcohol. Could this be one of those situations? But what if I'm overreacting? Won't my friend be mad at me? Will he even listen to me? But if I don't do something, I might be letting her down. What should I do?

(Adapted from Mentors in Violence Prevention (MVP) Playbook by Jackson Katz.)

ACTIVITY 3: FORCED CHOICE

Supplies: “I Agree” and “I Disagree” signs

Tape

Value Statements

Directions:

- 1) Post the signs at opposing ends of the room.
- 2) Explain to the group that you will read a series of statements. After each statement, each person should decide whether they agree or disagree with it and stand by the appropriate sign. Tell them that you will ask a few people to explain why they chose to agree or disagree. People can change their minds and move to the other sign if they hear something that convinces them to change their opinion.
- 3) Read a statement. Give participants a moment to pick a side. Ask for a volunteer to explain his position.
- 4) Continue through all value statements.

Value Statements

- 1) Sexual assault is a men’s issue.
- 2) Sex is better when you add alcohol.
- 3) If a man was drunk when an assault occurred, he shouldn’t be held responsible.
- 4) Sex is better when it’s non-verbal.
- 5) Women who were drunk when raped are responsible for the assault.
- 6) Acquaintance rapes just happen. They can’t be prevented.

(Adapted from the Office of Health Education, University of Pennsylvania.)

I AGREE

I DISAGREE

ACTIVITY 4: KARA AND DANIEL

[SEE SECTION 3.A FOR ACTIVITY MATERIALS](#)

ACTIVITY 5: SEXUAL COMMUNICATION

[SEE SECTION 3.B FOR ACTIVITY MATERIALS](#)

ACTIVITY 6: A DATE: THE INTERIOR DIALOGUE

[SEE SECTION 3.C FOR ACTIVITY MATERIALS](#)

ACTIVITY 7: BYSTANDER SCENARIOS

Supplies: Bystander Scenarios handout
Pencils

Directions:

- 1) Break participants into groups of no less than three.
- 2) Give each group a scenario. Explain that each group, after reading their scenario, will brainstorm different ways the bystander could address the situation and then will stage a role-play based on the scenarios.
- 3) Allow 5-7 minutes for each group to brainstorm and choose actors.
- 4) Each group will “perform” its scenario in front of the larger group. After each role-play, the larger group has the opportunity to give feedback or suggestions.

BYSTANDER SCENARIOS

End of the Night

It's 3 a.m. and the party is winding down. Justin has been hitting on and spending most of the night with Kaitlyn. She has been drinking heavily the entire evening. Justin has been lightly drinking. Kaitlyn appears wobbly on her feet, is laughing boisterously and flirting with Justin. Justin tells Kaitlyn she is too drunk to go home and begins to help her up the stairs to his room. As they move up the stairs, you pass them and notice that Kaitlyn is drunk and that Justin is kissing her neck as he leads her up the stairs.

What will you do/say? Act out your response to Justin and/or Kaitlyn.

Tough Talk

While hanging out with a few fraternity brothers, Bill makes a comment about a woman he met at a party. The two of them made out, but she refused to sleep with him. Bill says, "She's a tease and deserves to be laid." The fraternity is on probation because of a sexual harassment charge involving Bill.

What will you do/say? Act out your response to Bill.

Prank Caller

You and four of your friends are at Eric's apartment watching the game on TV and drinking some beers. Seeing the cheerleaders dancing gets all of you talking about various women you know. Marcus begins telling you about Yolanda, a woman in his psychology class. Yolanda is socially shy, but academically outspoken; she has an answer for every question the professor asks. Yolanda doesn't spend a lot of time on her appearance. Phil jokes that Yolanda wouldn't know an orgasm if it hit her in the head. Eric suggests calling Yolanda and leaving orgasmic noises on her machine and other lewd comments about her sexuality.

What will you do/say? Act out this exchange between the men.

Kiss and Tell

Keith is on the basketball team. In the locker room after Monday night's practice, he brags to you and other teammates about going on a date with Sandy and Shawn-Marie, identical twins he knows from class. The other guys cheer him on as he begins to detail sexual exploits among the three of them, focusing on alleged sexual activity between the sisters while he watched.

What will you say/do? What will other team members say? Act out your response to Keith.

(Adapted from Men's Group: A Curriculum for Helping Men Who Are Committed to Understanding and Ending Sexual Violence by Crime Victim Center of Erie County, Inc. © 2005)

A.5. ADDITIONAL MATERIALS FOR COLLEGE MEN

1. Dating Guide to Rape-Free Sex
2. The Consexual Creed
3. 10 Things Men Can Do to End Rape
4. 5 Steps Men Can Take to Avoid Sexual Assault

DATING GUIDE TO RAPE-FREE SEX

WOMEN	MEN
Be aware of possible implied obligations for sex if a man appears interested in you and offers to buy you a drink.	Be interested in women because you are truly interested, not as a means to getting sex.
Use alcohol responsibly. 90 percent of acquaintance rapes involve alcohol and/or drugs.	Do not use alcohol as a means to increase the likelihood of sex. Make sure that non-alcoholic beverages are available.
Know that sex is not a male entitlement. You can say "no" at any time.	Know that sex is not a male entitlement. It's safer and right to ask.
Be aware of men who are hostile if you say "no," who threaten, bully or try to control you, try to make you feel guilty, accuse you of being uptight, put you down or talk negatively about women.	Never force, pressure or coerce anyone to have sex. Don't make or laugh at degrading jokes about women. Challenge abusive behavior when you witness it.
If you feel pressured, afraid or uncomfortable, then leave, get help or protest loudly.	If you see a woman in trouble at a party, don't be afraid to intervene.
Be clear about your desires, limits and expectations. Ask and tell.	Be clear about your desires, limits and expectations. No hidden agenda.
Don't listen to persuasion. You don't have to give reasons. State clearly what you want and do not want. Don't be afraid to set limits.	Don't try to persuade or argue. Respect her "no" whether it is verbal or physical. Don't take silence as consent.
Consent to some sexual activity (kissing, touching, etc.) does NOT imply consent to all kinds of sexual activity.	Consent to some sexual activity (kissing, touching, etc.) does NOT imply consent to all kinds of sexual activity.
Many women are in denial about what rape is. Get clear.	Many men are in denial about what rape is. Know the law.
Threats, force and coercion make it rape.	Threats, force and coercion make it rape.
Getting drunk does NOT make rape OK. If you are too drunk to say "NO," it's rape.	Don't have sex with someone who is too drunk to make responsible decisions, has passed out or is asleep. Legally, it's rape.

The Consexual Creed®

As a Consexual, I enjoy mutually satisfying sexual relationships due to my respectful attitudes and choices. Being a Consexual means that I:

1. Believe that my partner's sexual safety and autonomy are always more important than my own sexual access and satisfaction.
2. Will always take steps to ensure that I have fully informed consent prior to engaging in any sexual behavior.
3. Will never seek sexual contact with anyone who is incapable of granting consent (e.g., anyone who is underage, drug-impaired, unconscious, etc.).
4. Will disclose relevant information (e.g., exposure to disease, attitudes toward pregnancy, commitment to the relationship, etc.) so that my potential sexual partner can make an informed decision.
5. Believe that sexual contact is always a privilege. No one has a right to demand sexual contact from another person.
6. Will never force, coerce, manipulate or deceive anyone in order to have sex. There is no justification for engaging in sexual contact without consent.
7. Realize that anyone who has given consent may withdraw that consent at any time, without needing to justify that decision: "When in doubt, I will stop and check it out."
8. Will take full responsibility for my own sexual behavior. I will not blame others.
9. Will promote sexual safety by confronting abusive attitudes and behavior in others.

Signature: _____

Witness: _____

Date: _____

Date: _____

Consent: Don't have sex without it™

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10 THINGS MEN CAN DO TO PREVENT GENDER VIOLENCE

Approach sexual assault as a MEN's issue

Most men are not perpetrators or possible offenders, but empowered bystanders who can confront abusive peers. One in five college women will be the victim of sexual assault. Chances are, you know a victim. Sexual assault affects the victim's sense of trust and intimate relationships.

Don't remain silent

If a brother, friend, classmate or teammate is a perpetrator or potential perpetrator – or is disrespectful to women in general – don't look the other way. If you feel comfortable doing so, talk to him about it. Or if you don't know what to do, consult a friend, parent, professor or counselor.

Have the courage to look inward

Question your own attitudes. Try hard to understand how your attitudes and actions might perpetuate sexism and violence and work toward changing them. Don't be defensive when something you do or say hurts someone else.

Ask if you can help

If you suspect that a woman close to you has been sexually assaulted, gently ask if you can help. Get help now. If you are emotionally, psychologically, physically or sexually abusive to women or have been in the past, seek professional help now.

Be an ally to women

Support the work of campus-based women's centers. Raise money for community-based rape crisis centers. If you belong to a team, fraternity or another student group organize a fundraiser. Speak out against homophobia, gay-bashing and transphobia. Discrimination and violence against lesbians, gay men and transgender individuals has direct links to sexism (e.g., the sexual orientation of men who speak out against sexism is often questioned, a conscious or unconscious strategy intended to silence them. This is a key reason few men do speak out).

Educate yourself

Attend programs, take courses, watch films and read articles and books about multicultural masculinities, gender inequality and the root causes of gender violence.

Don't fund sexism

Refuse to purchase any magazine, rent any video, subscribe to any Web site or buy any music that portrays women in a sexually degrading or abusive manner.

Lead by example

Mentor and teach young boys about how to be men in ways that don't involve degrading or abusing girls and women. Volunteer to work with gender violence prevention programs.

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8 STEPS MEN CAN TAKE TO AVOID SEXUAL ASSAULT

1. Make sure you always have consenting sex. Don't pressure a woman into having sex. Don't guilt-trip your partner or blackmail your partner with threats about leaving the relationship.
2. Take "no" for an answer. No means no. It does not mean yes, maybe or try harder.
3. Talk about sex. If you are unsure what a partner wants, ask. Say what you want to do and make sure your partner wants to do it, too. Examples of what to say: "Is this comfortable?" or "Are you feeling okay about this?"
4. Don't assume flirting heavily or wearing sexy clothes means that a woman wants to have sex.
5. Don't assume that if you are being sexual on one level with a person, that you can be sexual on another level. For instance, heavy kissing does not mean that sex will certainly be next.
6. Don't mix drugs and alcohol and sex. These substances cloud your judgment and make it difficult to gauge if consent is being given.
7. Talk to other men about sexual assault. Start by mentioning something you read, a conversation you had or something you've been thinking about.
8. Take action if you see violence happening. Intervene or call the police. Do *something* to stop the incident.

2.B. SEXUAL ASSAULT PREVENTION PROGRAM FOR COLLEGE WOMEN

- B.1. Overview
- B.2. Training Outline
- B.3. Workshop Presentation
- B.4. Workshop Activities
- B.5. Additional Materials

2.B. SEXUAL ASSAULT PREVENTION PROGRAM FOR COLLEGE WOMEN

B.1. OVERVIEW OF SEXUAL ASSAULT AND COLLEGE WOMEN

Traditionally, sexual assault prevention programs for women have focused on stranger-rape prevention – they have encouraged campus escorts and/or self-defense – and by doing so, they have put most of the responsibility on preventing sexual assault on women. These programs miss the key element in a majority of campus sexual assaults – they are committed by someone known to the victim. Instead, programs for women should focus on educating women about non-stranger sexual assault, risk reduction and labeling and reporting sexual assault.

Beginning the first day of fall semester and running until Thanksgiving, freshman women are at the highest risk for sexual assault. The initial program should be presented during this period for maximum impact. Attendance should be mandatory, both at the initial program and at follow-up programs during the freshman year and at the start of the sophomore year. If not mandated, colleges and universities can offer participants credits for participating in this program.

Key program elements should include the following:

- A pre-program survey of women's knowledge of sexual assault, risk factors and risk reduction techniques;
- Accurate definitions of stranger, acquaintance, party, gang and date rape and a discussion of accurate labeling of rape;
- Acknowledging when an assault occurs and the importance of reporting;
- The use of realistic scenarios to illustrate risky situations in which college women may find themselves;
- A discussion on the relationship between rape and alcohol use;
- A comparison of the frequency of acquaintance rape with that of stranger rape (*research suggests that many women are in denial about their risk for acquaintance rape*);
- A discussion of the need for explicit consent;
- An emphasis on the immediate and long-term psychological harm to sexual assault victims;
- A discussion of how friends can help and support sexual assault victims;
- A discussion of counseling services for sexual assault victims; and
- A follow-up survey several months after the programs to assess knowledge retention and behavioral change.

B.2. TRAINING OUTLINE FOR COLLEGE WOMEN

3 minutes	<i>Activity 1: Complete-the-Sentence Worksheet</i>
10 minutes	Introduction <ul style="list-style-type: none">A. Housekeeping detailsB. Introduction of presentersC. Introduction of Agency
90 minutes	Presentation <ul style="list-style-type: none"><u>A. What Is Sexual Assault?</u><u>B. State Laws and College Rules and Sanctions</u><i>Activity 2: Precautions</i><u>C. Acquaintance/Non-Stranger Rape</u><u>D. Sexual Assault and Force</u><i>Activity 3: Name That Drink</i><u>E. The Link Between Alcohol and Sexual Assault</u><i>Activity 4: Kara and Daniel</i><u>F. Immediate and Long-Term Effects of Sexual Assault</u><u>G. How Friends Can Support Sexual Assault Victims</u><i>Activity 5: Help vs. Harm</i><u>H. Risk Reduction Strategies</u><i>Activity 6: Sexual Communication</i><u>I. The 5 “Is” of Sexual Assault</u><u>J. When “No” Doesn’t Work</u>
10 minutes	Closure and Q & A

B.3. WORKSHOP PRESENTATION FOR COLLEGE WOMEN

[Activity 1: Complete-the-Sentence Worksheet](#)

Introductions

Presentation:

Rape is one of the most common violent crimes on American college campuses today.¹

Data suggests that one in five young women experiences rape during college.²

¹Finn, P. (1995). *Preventing Alcohol-Related Problems on Campus: Acquaintance Rape – A Guide for Program Coordinators*. Newton, MA: Higher Education Center for Alcohol and Other Drug Prevention.

Fisher, B., Sloan, J. & Cullen, F. (1995). *Final Report: Understanding Crime Victimization Among College Students: Implication for Crime Prevention*. Washington, DC: U.S. Department of Justice.

Sampson, R. (2002). *Acquaintance Rape of College Students*. Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services.

²Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*. Washington, DC: U.S. Department of Justice, National Institute of Justice and Bureau of Justice Statistics.

What Is Sexual Violence?

Sexual violence is any unwanted sexual contact. It includes unwanted intercourse (vaginal oral or anal) and/or touching, fondling or groping of sexual body parts. It can be committed by the use of threats or force or when someone takes advantage of circumstances that render a person incapable of giving consent.

Having intercourse with someone who is unconscious or intoxicated is sexual assault.

Nine out of 10 times, the victim knows her perpetrator.¹

¹ Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*.

West Virginia Sex Crime Laws

§61-8B-3. Sexual assault in the first degree.

(a) A person is guilty of sexual assault in the first degree when:

1. The person engages in sexual intercourse or sexual intrusion with another person and, in so doing:
 - (i) Inflicts serious bodily injury upon anyone; or
 - (ii) Employs a deadly weapon in the commission of the act; or
2. The person, being 14 years old or more, engages in sexual intercourse or sexual intrusion with another person who is younger than 12 years old and is not married to that person.

(b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than 15 nor more than 35 years or fined not less than 1,000 dollars nor more than 10,000 dollars and imprisoned in a state correctional facility not less than 15 nor more than 35 years.

(c) Notwithstanding the provisions of subsection (b) of this section, the penalty for any person violating the provisions of subsection (a) of this section who is 18 years of age or older and whose victim is younger than 12 years of age, shall be imprisonment in a state correctional facility for not less than 25 nor more than 100 years and a fine of not less than 5,000 dollars nor more than 25,000 dollars.

§61-8B-4. Sexual assault in the second degree.

(a) A person is guilty of sexual assault in the second degree when:

1. Such person engages in sexual intercourse or sexual intrusion with another person without the person's consent and the lack of consent results from forcible compulsion; or
2. Such person engages in sexual intercourse or sexual intrusion with another person who is physically helpless.

(b) Any person who violates the provisions of this section shall be guilty of a felony and, upon conviction thereof, shall be imprisoned in the penitentiary not less than 10 nor more than 25 years or fined not less than 1,000 dollars nor more than 10,000 dollars and imprisoned in the penitentiary not less than 10 nor more than 25 years.

§61-8B-5. Sexual assault in the third degree.

(a) A person is guilty of sexual assault in the third degree when:

1. The person engages in sexual intercourse or sexual intrusion with another person who is mentally defective or mentally incapacitated; or
2. The person, being 16 years old or more, engages in sexual intercourse or sexual intrusion with another person who is less than 16 years old and who is at least four years younger than the defendant and is not married to the defendant.

(b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than one year nor more than five years or fined not more than 10,000 dollars and imprisoned in a state correctional facility not less than one year nor more than five years.

[Activity 2: Precautions](#)

Acquaintance/Non-Stranger Rape

Acquaintance rape is sexual assault between two people who know each other:

- Classmate
- Friend
- Boyfriend
- Ex-boyfriend

Sexual assault can occur in a variety of contexts:

- Party rape (can also include gang rape)
- Rape on a date
- Rape in a non-party and non-date situation (e.g. while studying together)
- Rape by a former intimate partner
- Rape by a current intimate partner

The typical “party rape” occurs at an off-campus residence or on- or off-campus fraternity and involves the perpetrator plying his targeted victim with alcohol or targeting someone who is intoxicated. By contrast, an acquaintance rape typically involves two people who are just becoming acquainted and the offender rapes the victim in a car or residence after the date. Most acquaintance rapes do not occur on dates. Instead, they occur when the victim and perpetrator are otherwise in the same place (i.e., at a party or studying together).

The term “date rape” so commonly used on college campuses has also led many to believe that campus rapes are inadvertently committed by almost any “basically good guy” who, when faced with the combination of too much alcohol and “miscommunication,” accidentally commits a sexual assault. Research on sexual perpetrators over the last two decades has clearly shown that the majorities of campus rapes are not accidents due to miscommunication and, in fact, are committed by a small number of students who are, in essence, serial rapists.

Most campus sexual assaults are non-stranger rapes. Nine out of ten times the victim knows the perpetrator (Fisher, Cullen & Turner, 2000). Therefore, programs that address only stranger rape are often ineffective. Separate programs for stranger rape and acquaintance/non-stranger rape can undermine the progress they are attempting to make in the fight against sexual assault by feeding the myth that “real” rapes are “stranger rapes” and that acquaintance/non-stranger rapes are just “dates gone wrong.”

Sexual Assault and Force

Acquaintance rape is sexual assault between two people who know each other:

- Classmate
- Friend
- Boyfriend
- Ex-boyfriend
- Other acquaintance

Sexual assault can occur in a variety of contexts:

- Party rape (can also include gang rape)
- Rape on a date
- Rape in a non-party and non-date situation (e.g. while studying together)
- Rape by former intimate partner
- Rape by a current intimate partner

Silence is not consent!

The typical “party rape” occurs at an off-campus residence or on- or off-campus fraternity and involves the perpetrator plying his victim with alcohol or targeting someone who is intoxicated. By contrast, an acquaintance rape typically involves two people who are just becoming acquainted and the offender rapes the woman in a car or residence after the date. Most acquaintance rapes do not occur on dates. Instead, they occur when the victim and perpetrator are otherwise in the same place (i.e., at a party or studying together).

The term “date rape” so commonly used on college campuses has also led many to believe that campus rapes are inadvertently committed by almost any “basically good guy” who, when faced with the combination of too much alcohol and “miscommunication,” accidentally sexually assaults a woman. Research on sexual perpetrators over the last two decades has clearly shown that the majority of campus rapes are not accidents due to miscommunication and, in fact, are committed by a small number of male students who are, in essence, serial rapists.

Sexual Assault and Force

Force in sexual assault can be more subtle than weapons and physical injury and may include:

- Not listening when the person says “no”
- Quid pro quo bargaining
- Bargaining with negative consequences within the relationship
- Emotional intimidation
- Role intimidation
- Physical intimidation
- Threatening to harm another person
- Implying that something even worse will happen if the person does not give in
- Getting the person drunk or high in order to have sex
- Physical force

Silence is not consent!

When many people think about rape, they often picture someone overpowering the victim with a weapon or brute strength. But the force used in most campus sexual assaults often takes a different form. It includes various forms of physical and emotional manipulation.

Not listening when the person says “no.” No means no.

Quid pro quo bargaining: Claiming to have “earned” sexual contact or that the other person “owes” it, based on something already done or offered.

Bargaining with negative consequences within the relationship: Trying to influence the other person to have sex by pointing out the damage to the relationship by not complying. This can be viewed as giving the person a warning or a threat. For example, “If you don’t have sex with me, I’ll start dating someone else.”

Emotional intimidation: Threatening or actually making verbal attacks against the person in ways that are more abusive than simple expressions of anger.

Role intimidation: Using the authority of one’s job or role to threaten loss of income or status. For college students, this could involve using one’s social standing to threaten loss of status in social groups.

Physical intimidation: Refusing to leave the room, invading personal space, etc. without physical contact.

Threatening to harm another person.

Implying that something even worse will happen if the person does not give in.

Getting the person drunk or high in order to have sex: It is considered sexual assault if the victim is unconscious or intoxicated. If you are drunk, under the influence of a drug other than alcohol, unconscious or otherwise unable to say "no" to a potential sexual partner, you are not capable of giving consent. Under any of these circumstances, saying "yes" does not constitute consent.

Physical force: Grabbing, holding, twisting arms, etc. in order to continue sexual activity. This includes physically insisting on continuing sexual contact in the face of resistance.

Silence is not consent: Sometimes victims are too scared, disoriented or shocked to say no or fight back. Frozen fright is a normal response to a traumatic event. It immobilizes the victim. This does not mean they consented to the sexual activity.

[Activity 3: Name That Drink](#)

The Link between Alcohol and Sexual Assault

At least 50 percent of college students' sexual assaults are associated with alcohol use.*

In 81 percent of the alcohol-related sexual assaults, both the victim and the perpetrator had consumed alcohol.¹

¹ Abbey, A. (2002). Alcohol-Related Sexual Assault: A Common Problem among College Students. *Journal of Studies on Alcohol*, Supplement 14: 118-128.

The Link between Alcohol and Sexual Assault

Disinhibition

- Loosening up, relaxing
- Justify acting out, misbehaving
- Intoxication limits ability to consider long-term consequences

Expectation About Alcohol's Effect

- Aphrodisiac
- Self-fulfilling prophecy
- Placebo vs. alcohol study

Beliefs About Women Who Drink

- More sexually available and promiscuous
- Held responsible for assault
- Rapists blame alcohol; victims blame themselves

Misinterpretation of Verbal and Nonverbal Cues

- Less able to process multiple cues; instead, focus on most prominent cues

Alcohol's Effect on Women's Ability to React to Risk

Less able to process multiple cues
Effects on motor skills

Strategy

Alcohol as a weapon

Disinhibition

Many people use alcohol when they want to relax, blow off steam and loosen up. However, alcohol is often used as an excuse for acting out, misbehaving or committing a crime. If a perpetrator already possesses several of the characteristics for perpetration (i.e., coercive sexual fantasies, impulsive and antisocial tendencies, stereotypic views of women's sexual behavior) alcohol acts as a permission slip for sexual assault by reducing inhibitions.

Expectations about Alcohol's Effect

Alcohol is commonly viewed as an aphrodisiac that increases sexual desire and capacity. Expectations have a power of their own. Alcohol reduces motor function and has also been shown to reduce a person's ability to analyze complex social situations appropriately (Sampson, 2002). This may lead the victim or perpetrator to ignore or misunderstand typical sexual cues (Sampson, 2002).

The beliefs and expectations some perpetrators may hold about alcohol may predispose them to act sexually and aggressively after drinking alcohol. In other words, it becomes a self-fulfilling prophecy. For example, some college men go to bars or parties looking to "score." If a man starts out the evening thinking, "I'm going to have sex tonight," drinking alcohol may cause him to interpret or reinterpret a woman's behavior in a way that fits his original hypothesis, ignoring cues that she is not interested (Abbey, et. al., 2002). Perpetrators with these expectations may feel more comfortable forcing sex when they are drinking because they can later justify to themselves (and others) that the alcohol made them act accordingly.

Beliefs about Women Who Drink

In our society, women who drink alcohol are frequently perceived as being more sexually available and sexually promiscuous than women who do not drink alcohol.

Women who were drunk when raped are often viewed by others as partially responsible for what happened. American gender role norms about dating and sexual behavior still largely encourage men to be forceful and dominant. Women are expected to set limits on sexual activities and are often held responsible when men overstep them.

It is no wonder, then, that many women feel that sexual assault is their fault – especially if they had been drinking prior to the assault. While perpetrators often use alcohol to excuse sexual assault, it has been suggested that a large percent of college-age rape victims blame themselves entirely for the attack because they were using drugs or alcohol (Sampson, 2002; Schwartz & Leggett, 1999).

Misinterpretation of Verbal and Nonverbal Cues

Men and women frequently interpret verbal and nonverbal cues of sexual intent differently. Cues used to convey sexual interest are often indirect and ambiguous, thus, friendliness is sometimes mistaken for flirtation. Although not an excuse, when alcohol use is added to the situation, misinterpretation of cues can increase and result in sexual assault.

When intoxicated, people are less able to attend to multiple cues and instead tend to focus on those that are most prominent. For example, drinking may cause a perpetrator to misinterpret any friendly actions of others as an interest in having sex with him (Abbey, 2002). If the woman is not direct and forceful about her lack of interest in sex, the man is often likely to interpret her behavior as coyness, rather than as a refusal. One study showed that if a man was drinking alcohol when the woman rejected sexual advances, the perpetrator was more likely to feel “led on” and consequently justified for forcing sex on the woman (Abbey, 2002).

Alcohol’s Effect on Women’s Ability to Assess and React to Risk

Alcohol may limit a person’s ability to identify and respond to warning signs or red flags concerning sexual violence. Drinking may lower a person’s inhibitions and slow their responses to danger. For example, drinking alcohol may make it difficult for a woman to notice a man’s attempts to get her into an isolated location or his encouragement to drink even more. Alcohol’s effects on motor skills may limit a woman’s ability to resist sexual assault effectively.

Researchers have found that sexual assault victims who reported being at least somewhat drunk were less likely to use physical resistance strategies than were victims who were not drunk.

Strategy

Many perpetrators use alcohol as a weapon to obtain sex, knowing its effects on inhibition and cognitive and motor skills. Unfortunately, many male-centric groups and organizations create a social environment in which sexual coercion is normalized. Offenders often ply women with alcohol or target an already intoxicated woman. “Candy is dandy, but liquor is quicker” is a familiar refrain that is often used on campuses to describe this form of coercion (Nash, 2007).

[Activity 4: Kara and Daniel](#)

Immediate and Long-term Effects of Sexual Assault

Shock and disbelief

Recurring thoughts

Memories, nightmares, flashbacks

Self-blame and shame

Fears about safety

Psychological disorders

Other effects may include:

Depression

Social withdrawal

Numbing/apathy (detachment, loss of caring)

Reduced ability to express emotions

Difficulty concentrating

Diminished interest in activities or sex

Promiscuity

Impaired memory

Loss of appetite and eating disorders

Thoughts of suicide and death

Substance abuse

Dropping out of school

Difficulty holding down a job

It is normal for survivors to experience a range of feelings after a sexual assault and all survivors will react to the incident in their own way. One survivor may feel intense anger and even have feelings of revenge, while another may feel numb.

Shock and disbelief

Immediately after the assault most victims are in a state of shock. Some will act as if nothing has happened, trying to make life seem normal. Others find themselves in a daze, having difficulty focusing or getting mobilized.

Recurring thoughts

There may also be periods when survivors are preoccupied with thoughts and feelings about the assault. They may have unwanted memories, flashbacks or nightmares. When they think about what happened, they may re-experience some of the sensations and feelings they had during the assault, such as fear and powerlessness.

Self-blame and shame

They may feel that the assault was their fault or that they could have done something to prevent it. They may feel guilty, ashamed and vulnerable in ways they have never experienced before.

Fears about safety

They may have trouble trusting other people. Sexual intimacy may be difficult if it brings painful memories or a fear of losing control. Survivors may feel alone in their experience and that no one can understand.

Psychological disorders

The chances that a victim will develop post-traumatic stress disorder (PTSD) after an assault are between 50 and 95 percent (Population Information Program, 2000).

All of these feelings and reactions are normal responses to sexual assault. It is also common for some feelings to resurface or new ones to emerge later on in a survivor's life. Periods of stress, new intimate relationships, the anniversary of the incident or situations such as seeing the perpetrator or testifying in court can trigger intense feelings.

How Friends Can Support Sexual Assault Victims

Immediate Concerns

Physical Safety: Make sure the victim is in a safe place.

Evidence: Valuable evidence of the assault may remain on the victim's body and clothes.

Medical Attention: Refer the victim for treatment for injuries, and other potential medical concerns (e.g., STDs, medication to prevent pregnancy).

Reporting the Assault: Support the victim if she chooses to notify the police.

Counseling Services: Rape is a traumatic event and the victim may need assistance to deal with her feelings. Call 1-800-656-HOPE for a rape crisis center near you. Additional assistance may be available at your campus counseling center.

Fewer than 5 percent of college women who are victims of rape or attempted rape report it to police. In about two-thirds of the rapes, however, the victim did tell another person about the rape. Most often this person was a friend, not a family member or college official (Fisher, Cullen & Turner, 2000).

Physical Safety: Make sure the victim is in a safe place. Encourage her to call or be with someone she trusts for emotional support.

Evidence: Valuable evidence of the assault may remain on the victim's body and clothes. Encourage the victim not to eat, drink, smoke, comb her hair, shower, urinate, defecate or douche before going to the emergency room. However, if she has already done these things, don't let this stop her from seeking medical care. Also, if possible, have the victim place the clothes she was wearing during the assault in a paper bag and take them to the hospital with her.

Medical Attention: Doctors can check for injuries that may not be visible. Hospital staff can also treat the victim for possible sexually transmitted diseases (STDs) and provide medication to prevent pregnancy (emergency contraception). Hospital staff may also perform a forensic medical exam to collect evidence in case the victim decides to report to law enforcement.

Reporting the Assault: Whether or not the victim decides to report the assault to law enforcement, support the decision. Encourage the victim to still have a forensic medical exam conducted (if appropriate) since the assault can still be reported at a later time, but the time period for collecting evidence is limited.

Counseling: The victim has been through a traumatic experience and may need help dealing with her feelings. Call 1-800-656-HOPE for a WV rape crisis center near you, or the campus counseling center.

How Friends Can Support Sexual Assault Victims

Communicating with the Victim

DO

- Remain calm
- Believe the victim
- Give the victim control
- Let the victim express feelings
- Maintain confidentiality
- Encourage medical attention and counseling

DO NOT

- Get angry if the victim is reluctant to talk
- Pry into the intimate aspects of the assault
- Confront the offender or encourage revenge
- Say everything is alright
- Tell the victim to “get over it”
- Make promises

DO

Remain calm. It is common for you to feel shocked and outraged, but expressing these emotions to the victim may cause her more trauma.

Believe the victim. Make it clear that you believe the assault happened and that the assault was not her fault. Do not ask “why” questions that may make the victim defensive, such as “Why were you wearing that?” or “Why did you go to his room?”

Give the victim control. All control was stripped from the victim during the assault. Empower her to make decisions about what steps to take next, but do not tell her what to do.

Let the victim express feelings. Allow the victim to cry, scream, be silent, etc. Remember, the victim is angry with the assailant and the situation, not with you.

Maintain confidentiality. Let the victim decide who will know about the assault. It is not your place to tell people.

Encourage counseling. Give the victim the hotline number for the nearest rape crisis center, but let the victim decide whether or not to go.

DO NOT

Get angry if the victim is reluctant to talk. Do not accuse her of “hiding something” because she did not tell you sooner. She may fear rejection, may want to protect the perpetrator or loved ones or is embarrassed. One way the victim can feel in control of the situation is by not talking about it.

Pry into the intimate aspects of the assault. A sexual assault is a traumatic and intimate violation. She may not want to recall and share frightening sexual acts. Also, if alcohol or drugs were involved, she may not remember clearly what happened. This does not mean it is any less of an assault.

Confront the offender or encourage revenge. A confrontation can add additional trauma – especially if the offender is a boyfriend or acquaintance. It can also be dangerous. Leave it to the authorities.

Say everything is alright. Even if the victim is in a safe place, everything is probably not “alright” with her. Avoid minimizing what happened to her. It may take years to heal from the sexual assault.

Tell the victim to “get over it.” Every victim deals with an assault and her emotions differently. Allow the victim to heal in her own way.

Make promises. Don’t make any promises that you’re not sure you will be able to keep. For instance, don’t promise that the victim will never be hurt again or that the offender will go to jail. The victim has put her trust in you – you don’t want to break that trust.

[Activity 5: Help vs. Harm](#)

Risk Reduction Strategies

Trust your gut.

Be in charge of your own life.

Be cautious.

Don't mix sex with drugs and alcohol.

Go out in groups on dates with someone you're just getting to know.

Watch out for lines like "If you loved me..." or "You've/we've done it before..."

Communicate clearly.

Be assertive.

Trust your gut

If you don't feel comfortable in a situation, leave. If something seems suspicious about your date or a situation, go home early or stick close to a friend at a party.

Be in charge of your own life

Don't put yourself in a situation where you have to rely on other people to take care of you. Come up with a "back up" plan for getting home or leaving your date.

Be cautious

Be cautious inviting someone into your home or going to someone else's home. Three out of five sexual assaults occur in the victim's home or the home of an acquaintance.

Don't mix sex with drugs and alcohol

Your ability to make smart decisions is hampered when you use drugs or are drunk. Drinking may keep you from noticing a man's attempts to get you into an isolated location or his encouragement to drink even more. Alcohol consumption may also decrease the likelihood that you can successfully resist an assault, either verbally or physically.

Go out in groups on dates with someone you're just getting to know

When going out with someone new, don't feel you have to go alone. Go on a group date or meet in a public place.

Watch out for lines like "If you loved me..." or "You've/we've done it before..."

"If you loved me..."

"You've/we've done it before..."

If your partner loves you he will respect your feelings and wait until you are ready. It doesn't matter how far you've gone sexually with your partner in the past or how far you've gone with other partners – you have the right to stop any sexual activity.

Communicate clearly

Think about what you really want before you get into a sexual situation and communicate clearly with your partner. If you think you are getting mixed messages, ask your date what he wants.

Be assertive

Do not do anything that you do not want to do just to avoid a scene or unpleasantness. Women have been socialized to be polite and some women may not want to hurt a man's feelings by refusing sex. Remember that you have the right to choose how far you want to go and a man who does not respect that is hurting you. Your opinion matters. When you say "no", your date should stop. You have the right to stop sexual activity at any point, regardless of how far sexual intimacy has gone.

[Activity 6: Sexual Communication](#)

The 5 "I's" of Sexual Assault**Invasion**

- Visual
- Verbal
- Physical

Ignoring

- Hide agenda by appearing distracted

Isolation

- "Privacy"
- "Just to talk"

Intoxication

- Strategy

Instincts

- Particularly important with people you know

Sexual assaults typically have one or more of the following characteristics in common. One factor alone may be nothing for a person to be concerned about but, in combination, they can add up to a potential sexual assault.

Invasion

Perpetrators often invade personal space visually, verbally and physically. Such behavior often appears flirtatious in nature, but the key is whether it makes the recipient uncomfortable. There are three ways a person can invade another's personal space:

- Visual – Staring in a sexual way; “elevator eyes” (looking up and down in a way that feels invasive); too much eye contact.
- Verbal – Making comments that are inappropriate for the relationship, such as asking personal questions, talking about sex, telling dirty jokes or making physical comments. The perpetrator's language tends to be more controlling and directive and may contain more statements than questions.
- Physical – Getting too close; inappropriate touching. Perpetrators will usually invade personal space (i.e., stand or sit too close) and “accidentally” touch or rub a person, particularly the breast or buttocks.

Ignoring

Perpetrators of sexual assault often ignore verbal and non-verbal communication as a way to appear distracted instead of deliberate in their actions. They often have an agenda or plan out the assault in advance. They may, for example, use the noise around them to act preoccupied to disguise their intentional behavior.

Isolation

Perpetrators are often creative and subtle in their attempts to get someone alone. They may use means to accomplish this that appear very normal, such as locking the door for “privacy,” getting someone alone to “just talk,” or separating a person from other people with whom she is socializing.

Intoxication

Perpetrators often use alcohol or drugs to make someone vulnerable or as an excuse for their own behavior. Perpetrators often encourage their target to drink more. They may be intoxicated themselves or may stay sober altogether. Being intoxicated increases people's vulnerability but it is important to remember that *it does not cause sexual assault*.

Instincts

It is not uncommon for people to dismiss or forget about listening to their instincts when they know or trust the person they are with. Perpetrators rely on this as a means to carry out an assault. In non-stranger sexual assault, perpetrators use the fact that they know someone to gain access to that person.

(Developed by the Colorado Coalition Against Sexual Assault.)

WHEN “NO” DOESN’T WORK

Act Immediately

Stay Calm

Passive Resistance

Active Resistance

Submitting

Act Immediately

Trust your intuition. Get away, if possible. Don’t give in to a person’s sexual demands in the hope that you can divert him/her later.

Stay Calm

Try to think clearly about all your options. Your brain is your best weapon.

Passive Resistance

You may be able to discourage your attacker by talking. Persuade him/her not to commit the sexual assault by making him/her see you as a friend.

Active Resistance

If you are not afraid to hurt someone, hit and kick hard – this gives you the opportunity to escape. However, fighting back may anger the attacker and cause him/her to act more brutally.

Submitting

Do whatever you have to do to keep yourself safe. If you feel your life is in danger, your best option may be to submit. Submitting does not mean you consented.

B.4. WORKSHOP ACTIVITIES FOR COLLEGE WOMEN

ACTIVITY 1: COMPLETE THE SENTENCE WORKSHEET

Supplies: Complete-the-Sentence worksheet
Pencils

Directions:

- 1) Pass out the Complete-the-Sentence worksheet to all participants as they enter the room.
- 2) Ask them to complete the sentences as honestly as they feel comfortable. Inform participants that you will be reading the answers aloud throughout the presentation to spark discussion on sexuality and sexual assault.
- 3) Collect all the worksheets after 3 minutes. Throughout the presentation, revisit participants' answers.

1. I do not think I will be sexually assaulted because...

*Discuss participants' answers to this statement during *Myths and Facts* OR during the discussion on "The Link Between Alcohol and Sexual Assault." Many women mistakenly believe that they cannot be raped because they do not dress or act like "women who are raped" dress and act. It is often easier for women to deal with the fear of sexual assault by thinking that it happens to other people. It is also important to address any stranger-rape myths. Female participants may think they are protecting themselves against rape by carrying mace, knowing self-defense, not walking home alone, etc. But contrary to widespread stranger-rape myths, in the vast majority of these crimes, the victim and perpetrator know each other. For both completed and attempted rapes, about nine in 10 perpetrators are known to the victim. Most often, a classmate, friend, boyfriend, ex-boyfriend or other acquaintance (in that order) sexually victimized the women (Fisher, Cullen & Turner, 2000). How prepared are they to handle a sexual assault from someone they know?*

2. In sexual situations, alcohol makes me...

Discuss participants' answers to this statement during "Expectations About Alcohol's Effect" while covering the relationship between rape and alcohol use. Alcohol is commonly viewed as an aphrodisiac that increases sexual desire and capacity. Expectations have a power of their own. When people expect a certain outcome, they tend to act in ways that enhance the likelihood that the outcome will occur. How might this lead to a situation that could end in a sexual assault?

3. “Hooking up” means...

Discuss participants’ answers to this statement during “Misinterpretation of Verbal and Nonverbal Cues” while covering the relationship between rape and alcohol use. Not everyone includes the same sexual activities under this term. The vagueness can lead to unmet expectations or unwanted sexual contact when people decide to engage in sexual activity. Consent to one form of sexual activity does not imply consent to all forms of sexual activity. It is important to be clear about your limits.

4. When I see an obviously drunk woman leaving a bar/party with a man, I...

Discuss participants’ answers to this statement during the discussion on “How Friends Can Support Sexual Assault Victims.” Friends can even help prevent sexual assaults by being aware and active bystanders. Many women may not be aware that sex with someone who is intoxicated is sexual assault. The use of alcohol or other substances can interfere with someone's ability to make clear decisions about the level of intimacy they are comfortable with; therefore, the woman who is leaving the bar/party may not have given conscious consent. Bystanders can often prevent sexual assaults by stepping up and speaking out.

COMPLETE-THE-SENTENCE

Complete the following sentences. Be as honest and detailed as you feel comfortable. We will discuss your responses throughout today's presentation.

1. I do not think I will be sexually assaulted because . . .

2. in sexual situations, alcohol makes me . . .

3. "Hooking up" means . . .

4. When I see an obviously drunk woman leaving a bar/party with a man, I . . .

ACTIVITY 2: PRECAUTIONS

Supplies: Flipchart or blackboard
Marker or chalk

Directions:

- 1) Draw a line down the center of the flipchart or blackboard. On one side, write “Precautions to Reduce Your Risk of Sexual Assault by a Stranger.” Leave the other side blank.
- 2) Ask participants to list the precautions they take (either daily or when out at a bar/party) to reduce their risk of being assaulted by a stranger. Write their answers on the flipchart or blackboard.
- 3) Once they have filled up the “Stranger” side of the flipchart or blackboard, write “Precautions to Reduce Your Risk of Sexual Assault by an Acquaintance” on the other side of the flipchart or blackboard. Ask participants to list the precautions they take to reduce their risk of sexual assault by someone they know: classmate, friend, boyfriend... *Most likely, this list will be much shorter. Many women believe they have a plan if they are assaulted by a stranger, but find themselves vulnerable and unprepared when faced with a possible assault by someone they know.*

ACTIVITY 3: NAME THAT DRINK

Supplies: Paper
Markers

Directions:

- 1) Assign participants to groups of 3-5.
- 2) Give each group markers and a sheet of paper. Ask each group to appoint a “recorder” and a “reporter.”
- 3) Inform participants that they will have three minutes to think of as many alcoholic drinks which include a reference to sex in their names as they can. At the end of the three minutes, they will report to the group.

Discussion Questions:

- 1) What do these lists tell us about our culture when it comes to alcohol and sex?
- 2) Why is alcohol assumed to be a “required” ingredient for sex?
- 3) What motivates men to drink? What motivates women to drink?
- 4) What is the perception of alcohol use? How are women who drink perceived? How are men who drink perceived?
- 5) How might alcohol consumption contribute to sexual assault?

ACTIVITY 4: KARA AND DANIEL

[SEE SECTION 3.A FOR ACTIVITY MATERIAL](#)

ACTIVITY 5: HELP VS. HARM

Supplies: “Good Tips” and “Bad Tips” signs

Tape

Helpful and Harmful tips

Directions:

- 1) Post the “Good Tips” and “Bad Tips” signs at opposing ends of the room.
- 2) Pile the Helpful and Harmful sheets of paper on the floor, on a table or somewhere that people can reach them easily. Have enough “tips” so that everyone in the group has one. Make duplicates if necessary.
- 3) Explain to the group that there are many different theories about how to support someone who has been sexually assaulted. This activity will encourage participants to (re)evaluate their beliefs and force them to decide which tips are helpful and which may cause more harm.
- 4) Ask all participants to take a sheet of paper at random and walk to the side of the room where they feel their “tip” belongs – Good Tips or Bad Tips.
- 5) When all participants are assembled, call time. Ask people on the "good" side to hold-up their signs. Pick a few people to explain why they chose that side. Ask the other side to react or challenge these choices. Then, do the same with people on the "bad" side.

Discussion Points:

- 1) **Call 911 immediately:** If the assault is currently occurring or if you think the victim’s safety is an immediate concern, call the proper authorities. However, if there is not an immediate threat to someone’s safety, the decision of who to call and when should be left up to the victim.
- 2) **Listen attentively:** It is common for you to feel shocked and outraged, but expressing these emotions may cause her/him more trauma. Just listen. Let the victim express feelings without judgment.
- 3) **Remind them that they may be at fault:** Make it clear to the victim that you believe the assault happened and that the assault is not her/his fault. Do not ask “why” questions that may make the victim defensive, such as “Why were you alone with him?” Sexual assault is NEVER the victim’s fault.
- 4) **Call their family:** Maintain confidentiality. Let the victim decide who will know about the assault. It is not your place to tell people.
- 5) **Urge them to rethink whether it was really rape:** Fewer than 5 percent of college women who are victims of rape or attempted rape report it to police (Fisher, Cullen & Turner, 2000). Many victims do not report the assault because

they do not immediately label the incident as rape. You should not contribute to victim underreporting by encouraging this line of thinking. No type of sexual violence is “worse” or “better” than another. No victim should ever be made to feel “less” or “more” of a victim than another. Ultimately, only victims can decide for themselves the degree of offense and severity they have experienced.

- 6) **Demand a sexual assault prevention workshop for your residence/floor:** Sexual assault prevention programs are known to be effective in raising awareness about sexual assault and risk reduction strategies. As long as a victim does not feel that her/his confidentiality is being compromised, an incident of sexual assault can be a catalyst for awareness and change.
- 7) **Help them list medical/legal options:** Give the victim control. Empower her/him to make decisions about what steps to take next, but do not tell the victim what to do. It is very important for victims to seek medical treatment following a sexual assault; especially if the assault occurred within 96 hours. In addition, reporting the assault to the police can help a victim feel empowered and aid in the healing process. However, the decision to seek medical care and legal assistance should be the victim’s.
- 8) **Confront the offender:** Do not confront the offender or encourage revenge. A confrontation can add additional trauma – especially if the offender is a loved one. It can also be extremely dangerous. Leave it to the proper authorities.
- 9) **Put their unwashed clothes in a paper bag for evidence collection:** Valuable evidence of the assault may remain on the victim’s body and clothes. Encourage the victim not to eat, drink, smoke, comb her/his hair, shower, urinate, defecate or douche before going to the emergency room. Have the victim place the clothes she/he was wearing during the assault in a paper bag and take them to the hospital with her/him. However, the decision on whether or not to go to the emergency room should be made by the victim.
- 10) **Urge them to call the nearest rape crisis center:** Provide the victim with the number to the local rape crisis center. Do not force the victim to call, but let her/him know about the services provided, that you want to see her/him heal and counseling can help.
- 11) **Ask for the details of the assault:** Do not pry into the physically intimate aspects of the assault. A sexual assault is a traumatic and intimate violation. The victim may not want to recall and share frightening sexual acts. Your job is to support your friend; you do not need to know the details to do that.
- 12) **Report the assault to Student Health Services:** It is up to the victim whether or not to report the assault and to whom. Giving the victim information on who she/he may call and the phone number is the best way to help. If your school has an anonymous reporting procedure, you can report the assault in such a way that protects the victim’s privacy but alerts the school to the assault.

(Adapted from the Office of Health Education, University of Pennsylvania.)

GOOD TIPS

BAD TIPS

**CALL 911
AS SOON
AS
POSSIBLE**

LISTEN ATTENTIVELY

REMINDE
THEM THAT
THEY MAY
BE AT
FAULT

CALL THEIR FAMILY

URGE THEM
TO RE-
THINK
WHETHER
IT WAS
REALLY
RAPE

DEMAND A
SEXUAL
ASSAULT
PREVENTION
WORKSHOP
FOR YOUR
RESIDENCE
OR FLOOR

HELP THEM LIST MEDICAL AND LEGAL OPTIONS

CONFRONT THE OFFENDER

PUT THEIR
UNWASHED
CLOTHES IN A
PAPER BAG FOR
EVIDENCE
COLLECTION

**URGE THEM TO
CALL THE
NEAREST RAPE
CRISIS CENTER**

ASK FOR THE DETAILS OF THE ASSAULT

REPORT THE ASSAULT TO STUDENT HEALTH SERVICES

ACTIVITY 6: SEXUAL COMMUNICATION

[SEE SECTION 3.B FOR ACTIVITY MATERIALS](#)

B.5. ADDITIONAL MATERIALS FOR COLLEGE WOMEN

1. Dating Guide to Rape-Free Sex
2. Sexual Assault Risk Reduction Strategies
3. The 5 “I’s” of Sexual Assault
4. How to Help a Friend Who Has Been Sexually Assaulted

DATING GUIDE TO RAPE-FREE SEX

WOMEN	MEN
Be aware of possible implied obligations for sex if a man appears interested in you and offers to buy you a drink.	Be interested in women because you are truly interested, not as a means to getting sex.
Use alcohol responsibly. 90 percent of acquaintance rapes involve alcohol and/or drugs.	Do not use alcohol as a means to increase the likelihood of sex. Make sure that non-alcoholic beverages are available.
Know that sex is not a male entitlement. You can say "no" at any time.	Know that sex is not a male entitlement. It's safer and right to ask.
Be aware of men who are hostile if you say "no," who threaten, bully or try to control you, try to make you feel guilty, accuse you of being uptight, put you down or talk negatively about women.	Never force, pressure or coerce anyone to have sex. Don't make or laugh at degrading jokes about women. Challenge abusive behavior when you witness it.
If you feel pressured, afraid or uncomfortable, then leave, get help or protest loudly.	If you see a woman in trouble at a party, don't be afraid to intervene.
Be clear about your desires, limits and expectations. Ask and tell.	Be clear about your desires, limits and expectations. No hidden agenda.
Don't listen to persuasion. You don't have to give reasons. State clearly what you want and do not want. Don't be afraid to set limits.	Don't try to persuade or argue. Respect her "no" whether it is verbal or physical. Don't take silence as consent.
Consent to some sexual activity (kissing, touching, etc.) does NOT imply consent to all kinds of sexual activity.	Consent to some sexual activity (kissing, touching, etc.) does NOT imply consent to all kinds of sexual activity.
Many women are in denial about what rape is. Get clear.	Many men are in denial about what rape is. Know the law.
Threats, force and coercion make it rape.	Threats, force and coercion make it rape.
Getting drunk does NOT make rape OK. If you are too drunk to say "NO," it's rape.	Don't have sex with someone who is too drunk to make responsible decisions, has passed out or is asleep. Legally, it's rape.

SEXUAL ASSAULT RISK REDUCTION STRATEGIES

A sexual assault can never be prevented, but there are things you can do to reduce your risk of becoming a victim. Remember, an assault is NEVER your fault.

Trust your Gut

If you don't feel comfortable in a situation, leave. If something seems suspicious about your date or a situation, go home early or stick close to a friend at a party.

Be in Charge of your Own Life

Don't put yourself in a situation where you have to rely on other people to take care of you. Come up with a "back up" plan for getting home or leaving your date.

Be Cautious

Be cautious inviting someone into your home or going to someone else's home. Three out of five sexual assaults occur in the victim's home or the home of an acquaintance.

Don't Mix Sex with Drugs and Alcohol

Your ability to make smart decisions is hampered when you are high or drunk. Drinking may keep you from noticing a man's attempts to get you into an isolated location or his encouragement to drink even more. Alcohol consumption may also decrease the likelihood that you can successfully resist and assault, either verbally or physically.

Go Out in Groups on Dates with Someone You're Just Getting to Know

When going out with someone new, don't feel you have to go alone. Go on a group date or meet in a public place.

Watch Out for Lines Like "If You Loved Me..." or "You've/We've Done It Before..."

"If you loved me..."

"You've/we've done it before..."

If your partner loves you he/she will respect your feelings and wait until you are ready. It doesn't matter how far you've gone sexually with your partner in the past or how far you've gone with other partners – you have the right to stop any sexual activity.

Communicate Clearly

Think about what you really want before you get into a sexual situation and communicate clearly with your partner. If you think you are getting mixed messages, ask your date what he/she wants.

Be Assertive

Do not do anything that you do not want to do just to avoid a scene or unpleasantness. Women have been socialized to be polite and some women may not want to hurt a man's feelings by refusing sex. Remember that you have the right to choose how far you want to go and someone who does not respect that is hurting you. Your opinion matters. When you say "no", your date should stop. You have the right to stop sexual activity at any point, regardless of how far sexual intimacy has gone.

THE 5 ‘T’s’ OF SEXUAL ASSAULT

Sexual assaults typically have one or more of the following characteristics in common. One factor alone may be nothing for a person to be concerned about but, in combination, they can add up to a potential sexual assault.

Invasion

Perpetrators often invade personal space visually, verbally and physically. Such behavior often appears flirtatious in nature, but the key is whether it makes the recipient uncomfortable. There are three ways a person can invade another’s personal space:

- Visual – Staring in a sexual way; “elevator eyes” (looking up and down in a way that feels invasive); too much eye contact.
- Verbal – Making comments that are inappropriate for the relationship, such as asking personal questions, talking about sex, telling dirty jokes or making physical comments. The perpetrator’s language tends to be more controlling and directive and may contain more statements than questions.
- Physical – Getting too close; inappropriate touching. Perpetrators will usually invade personal space (i.e., stand or sit too close) and “accidentally” touch or rub a person, particularly the breast or buttocks.

Ignoring

Perpetrators of sexual assault often ignore verbal and non-verbal communication as a way to appear distracted instead of deliberate in their actions. They often have an agenda or plan out the assault in advance. They may, for example, use the noise around them to act preoccupied to disguise their intentional behavior.

Isolation

Perpetrators are often creative and subtle in their attempts to get someone alone. They may use means to accomplish this that appear very normal, such as locking the door for “privacy,” getting someone alone to “just talk” or separating a person from other people with whom she is socializing.

Intoxication

Perpetrators often use alcohol or drugs to make someone vulnerable or as an excuse for their own behavior. Perpetrators often encourage their target to drink more. They may be intoxicated themselves or may stay sober altogether. Being intoxicated increases people’s vulnerability but it is important to remember that *it does not cause sexual assault*.

Instincts

It is not uncommon for people to dismiss or forget about listening to their instincts when they know or trust the person they are with. Perpetrators rely on this as a means to carry out an assault. In non-stranger sexual assault, perpetrators use the fact that they know someone to gain access to that person.

(Adapted from the Colorado Coalition Against Rape.)

HOW TO HELP A FRIEND WHO HAS BEEN SEXUALLY ASSAULTED

Fewer than 5 percent of college women who are victims of rape or attempted rape report it to police. In about two-thirds of the sexual assaults, however, the victim did tell another person about the rape. Most often this person was a friend, not a family member or college official (Fisher, Cullen & Turner, 2000).

Physical Safety: Make sure the victim is in a safe place. Encourage her to call or be with someone she trusts for emotional support.

Evidence: Valuable evidence of the assault may remain on the victim's body and clothes. Encourage the victim not to eat, drink, smoke, comb her hair, shower, urinate, defecate or douche before going to the emergency room. However, if she has already done these things, don't let this stop her from seeking medical care. Also, if possible, have the victim place the clothes she was wearing during the assault in a paper bag and take them to the hospital with her.

Medical Attention: Doctors can check for injuries that may not be visible. Hospital staff can also treat the victim for possible STDs (sexually transmitted diseases) and provide medication to prevent pregnancy (emergency contraception). Hospital staff may also perform a forensic medical exam to collect evidence in case the victim decides to report to law enforcement.

Reporting the Assault: Whether or not the victim decides to report the assault to law enforcement, support the decision. Regardless of the victim's immediate decision to report or not, encourage the victim to have a forensic medical exam conducted (if appropriate). The assault can be reported at a later time, but the time period for collecting evidence is limited to 96 hours.

Counseling: The victim has been through a traumatic experience and may need help dealing with her feelings. Call 1-800-656-HOPE for a WV rape crisis center near you, or call the campus counseling center.

C. SEXUAL ASSAULT PREVENTION PROGRAM FOR CAMPUS POLICE

C.1. Overview

C.2. Training Outline

C.3. Workshop Presentation

C.4. Workshop Activities

C.5. Additional Materials

2.C. SEXUAL ASSAULT PREVENTION PROGRAM FOR CAMPUS POLICE

C.1. OVERVIEW OF SEXUAL ASSAULT AND CAMPUS POLICE

Campus law enforcement and security departments play a significant role in institutional responses to sexual assault. Educating police about the extent of acquaintance/non-stranger rape (compared with stranger rape) of college students and about the patterns related to it can provide them with important background context. The training should cover the research on high-risk times and high-risk groups, the elements of effective rape prevention programs and the need for police involvement in the programs. Police involvement can help assure students that the college takes sexual assault seriously.

Key program elements should include the following:

- Accurate definitions of stranger, acquaintance, party and gang rape;
- A discussion of the relationship between sexual assault and alcohol use;
- A comparison of the frequency of acquaintance rape with that of stranger rape;
- A discussion of commonly held misconceptions about sexual assault;
- A discussion of the importance of uniform protocols and policies for responding to and investigating reports of sexual assault;
- An emphasis on first responders' duty to inform the victim about forensic medical examination services and how to access those services;
- A discussion on maintaining appropriate levels of confidentiality; and
- Information on complying with federal laws and other mandatory reporting requirements.

C.2. TRAINING OUTLINE FOR CAMPUS POLICE

10 minutes	Introduction <ul style="list-style-type: none">A. Housekeeping detailsB. Introduction of presentersC. Introduction of Agency
70 minutes	Presentation <ul style="list-style-type: none"><u>A. What Is Sexual Assault?</u><u>B. State Laws and College Rules and Sanctions</u><u>C. Acquaintance/Non-Stranger Rape</u><u>D. Myths and Facts</u><i>Activity 1: Gender and Sexual Assault</i><u>E. False vs. Unfounded Allegations</u><u>F. Victim Underreporting</u><u>G. Federal Laws on Campus Crime</u><u>H. The Link Between Alcohol and Sexual Assault</u><i>Activity 2: The Undetected Rapist</i><u>I. Immediate and Long-Term Effects of Sexual Assault</u><i>Activity 3: Sexual Violence Spectrum</i><u>J. Tips for Responding to Victims of Sexual Assault</u><u>K. Policies and Practices That Aid in Reporting by Victims</u><i>Activity 4: Semantics</i>
10 minutes	Closure and Q & A

C.3. WORKSHOP PRESENTATION FOR CAMPUS POLICE

Rape is one of the most common violent crimes on American college campuses today.¹

Data suggests that one in five young women experiences rape during college.²

¹ Finn, P. (1995). *Preventing Alcohol-Related Problems on Campus: Acquaintance Rape – A Guide for Program Coordinators*. Newton, MA: Higher Education Center for Alcohol and Other Drug Prevention.

Fisher, B., Sloan, J. & Cullen, F. (1995). *Final Report: Understanding Crime Victimization Among College Students: Implication for Crime Prevention*. Washington, DC: U.S. Department of Justice.

Sampson, R. (2002). *Acquaintance Rape of College Students*. Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services.

² Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*. Washington, DC: U.S. Department of Justice, National Institute of Justice and Bureau of Justice Statistics.

What is Sexual Violence?

Sexual violence is any unwanted sexual contact. It includes unwanted intercourse (vaginal oral or anal) and/or touching, fondling or groping of sexual body parts. It can be committed by the use of threats or force or when someone takes advantage of circumstances that render a person incapable of giving consent.

Having intercourse with someone who is unconscious or intoxicated is sexual assault.

Nine out of 10 times, the victim knows her perpetrator.¹

¹ Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*.

West Virginia Sex Offense Laws

§61-8B-3. Sexual assault in the first degree.

(a) A person is guilty of sexual assault in the first degree when:

1. The person engages in sexual intercourse or sexual intrusion with another person and, in so doing:
 - (i) Inflicts serious bodily injury upon anyone; or
 - (ii) Employs a deadly weapon in the commission of the act; or
2. The person, being 14 years old or more, engages in sexual intercourse or sexual intrusion with another person who is younger than 12 years old and is not married to that person.

(b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than 15 nor more than 35 years or fined not less than 1,000 dollars nor more than 10,000 dollars and imprisoned in a state correctional facility not less than 15 nor more than 35 years.

(c) Notwithstanding the provisions of subsection (b) of this section, the penalty for any person violating the provisions of subsection (a) of this section who is 18 years of age or older and whose victim is younger than 12 years of age, shall be imprisonment in a state correctional facility for not

less than 25 nor more than 100 years and a fine of not less than 5,000 dollars nor more than 25,000 dollars.

§61-8B-4. Sexual assault in the second degree.

(a) A person is guilty of sexual assault in the second degree when:

1. Such person engages in sexual intercourse or sexual intrusion with another person without the person's consent and the lack of consent results from forcible compulsion; or
2. Such person engages in sexual intercourse or sexual intrusion with another person who is physically helpless.

(b) Any person who violates the provisions of this section shall be guilty of a felony and, upon conviction thereof, shall be imprisoned in the penitentiary not less than 10 nor more than 25 years or fined not less than 1,000 dollars nor more than 10,000 dollars and imprisoned in the penitentiary not less than 10 nor more than 25 years.

§61-8B-5. Sexual assault in the third degree.

(a) A person is guilty of sexual assault in the third degree when:

1. The person engages in sexual intercourse or sexual intrusion with another person who is mentally defective or mentally incapacitated; or
2. The person, being 16 years old or more, engages in sexual intercourse or sexual intrusion with another person who is less than 16 years old and who is at least four years younger than the defendant and is not married to the defendant.

(b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than one year nor more than five years or fined not more than 10,000 dollars and imprisoned in a state correctional facility not less than one year nor more than five years.

Acquaintance/Non-Stranger Rape

Acquaintance rape is sexual assault between two people who know each other:

- Classmate
- Friend
- Boyfriend
- Ex-boyfriend

Sexual assault can occur in a variety of contexts:

- Party rape (can also include gang rape)
- Rape on a date
- Rape in a non-party and non-date situation (e.g. while studying together)
- Rape by a former intimate partner
- Rape by a current intimate partner

The typical “party rape” occurs at an off-campus residence or on- or off-campus fraternity and involves the perpetrator plying his targeted victim with alcohol or targeting someone who is

intoxicated. By contrast, an acquaintance rape typically involves two people who are just becoming acquainted and the offender rapes the victim in a car or residence after the date. Most acquaintance rapes do not occur on dates. Instead, they occur when the victim and perpetrator are otherwise in the same place (i.e., at a party or studying together).

The term “date rape” so commonly used on college campuses has also led many to believe that campus rapes are inadvertently committed by almost any “basically good guy” who, when faced with the combination of too much alcohol and “miscommunication,” accidentally commits a sexual assault. Research on sexual perpetrators over the last two decades has clearly shown that the majorities of campus rapes are not accidents due to miscommunication and, in fact, are committed by a small number of students who are, in essence, serial rapists.

Most campus sexual assaults are non-stranger rapes. Nine out of ten times the victim knows the perpetrator (Fisher, Cullen & Turner, 2000). Therefore, programs that address only stranger rape are often ineffective. Separate programs for stranger rape and acquaintance/non-stranger rape can undermine the progress they are attempting to make in the fight against sexual assault by feeding the myth that “real” rapes are “stranger rapes” and that acquaintance/non-stranger rapes are just “dates gone wrong.”

Myths and Facts

MYTH: Rape is caused by the perpetrator’s uncontrollable sexual urge.

FACT: Rape is an act of power and control, not sex. Rapes are often planned.¹

MYTH: Most perpetrators are strangers to their victims.

FACT: On college campuses, 90 percent of sexual assaults are committed by someone known to the victim.²

MYTH: The victim must have “asked for it” by being seductive, careless, drunk, etc.

FACT: The blame lies with the perpetrator. Poor judgment is not a “rape-able” offense.³ And since most rapes are planned, what the victim is wearing could not be a factor.

MYTH: Women lie about sexual assault to save their reputation or to get revenge.

FACT: FBI statistics show that only 3 percent of rape reports are false reports. Rape is a vastly underreported crime.⁴

¹ On college campuses, for example, alcohol plays a large role in sexual assault. Men who have committed sexual assault frequently report getting their female companion drunk as a way of making it easier to talk or force her into having sex. Abbey, A. (2002). Alcohol-Related Sexual Assault: A Common Problem among College Students. *Journal of Studies on Alcohol*, Supplement 14: 118-128.

² Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*.

³ Many perpetrators use alcohol as a weapon to control their victims. As part of their plan, they encourage the woman to use alcohol or target a woman who is already drunk.

⁴ The false-report rate of rape is the same rate for other kinds of felonies. In fact, most sexual assaults are not reported to the police. Fewer than 5 percent of college women who are victims of rape or attempted rape report it to police (Fisher, Cullen & Turner, 2000). For victims, the criminal justice system can be so taxing, expensive and traumatic, it is likely that few would go through this process in order to “get revenge.” More people fake their own death than falsely report rape.

[Activity 1: Gender and Sexual Assault](#)

FALSE VS. UNFOUNDED ALLEGATIONS

- Avoid confusing "false" allegations with "unfounded" allegations
 - Unfounded allegations = determined by police or prosecutors to be unverifiable or un-prosecutable
- Guard against stereotypes and myths
 - Victim's criminal history
 - Delay in reporting
 - Prior relationship with the offender
 - Use of drugs or alcohol prior to the assault
 - No visible injuries
 - Victim does not immediately label herself as a "victim"
 - Offender raises issue of consent

One of the most harmful misconceptions that continues to exist is that women frequently make false allegations and reports of sexual assault. The issue of false allegations and reports is often complicated by the merging of "false allegations" with allegations that are "unfounded," that is, determined by police or prosecutors to be unverifiable, non-serious or un-prosecutable.

Officers must be careful not to hastily determine that a complaint is false due to factors such as the victim's criminal history, a delay in reporting, a prior relationship between the victim and the offender or simply because the offender raises the issue of consent.

False allegations and reports may occasionally be made. However, officers should fully investigate each complaint, free of assumptions based on stereotypes and myths, to determine the facts. Any decision to declare a complaint unfounded or false, should only be made when all of the facts are known.

Victim Underreporting

Fewer than 5 percent of college women who are victims of rape or attempted rape report it to the police.¹

Victims of non-stranger sexual assault offer a range of reasons for not reporting the rape to authorities:

- ▲ Do not immediately label the incident as rape
- ▲ Embarrassment and shame
- ▲ Fear of publicity
- ▲ Fear of reprisal from assailant
- ▲ Fear of social isolation from the assailant's friends
- ▲ Fear that the police will not believe them
- ▲ Fear that the prosecutor will not believe them or will not bring charges
- ▲ Self-blame for drinking or using drugs before the rape
- ▲ Self-blame for being alone with the assailant
- ▲ Fear that their family will find out

¹ Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*.

Underreporting by campus sexual assault victims stems from a combination of individual, institutional and socio-cultural factors.

While stranger-rape myths have been largely eradicated throughout society, acquaintance rape myths have only recently begun to be challenged. Student victims of rape by someone they know fear that people will hold them responsible for their own criminal victimization – and are far less likely to report their victimization to campus or criminal authorities than victims raped by a stranger on their campus.

When a college student who is the victim of sexual assault names the experience “rape,” she is often naming a classmate or friend a “rapist.” Such labeling requires a radical redefinition of their previous relationship. Avoiding this process is one reason student sexual assault victims neither name nor report the crime.

Colleges and universities often unintentionally condone victim-blaming when they circulate materials that focus primarily on women's responsibility to avoid sexual assault without balancing this information with prevention education targeted toward men that stresses the perpetrator's responsibility for committing the crime.

Federal Laws on Campus Crime

Jeanne Clery Act

Tied to participation in federal student financial aid programs

Annual Report

Crime Statistics

Sex Offenses – Forcible

Forcible Rape

Forcible Sodomy

Sexual Assault with an Object

Forcible Fondling

Sex Offenses – Non-forcible

Access To Timely Information

Public Crime Log

These must be provided to students, employees and prospective students and parents.

Schools that fail to comply can be fined by the Department of Education.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act requires that schools annually disclose information about crime, including specific sexual crime categories, in and around campus to college students, campus employees, prospective students and their parents. Schools are also required to report these statistics to the U.S. Department of Education and make them available to the general public. In addition, the act requires that each college and university disclose its policies and procedures for intervention and discipline for these major crimes as well as for educational programming to help reduce the risk of college students becoming victims.

The Clery Act is named after Jeanne Ann Clery, a freshman at Lehigh University, who was raped and strangled in her dormitory by another student. After the murder trial of Clery's assailant and the civil suit against the university in which Lehigh was found responsible for negligence, failure to protect and failure to warn, the Clery family founded Security on Campus, Inc. in 1989, a non-profit organization dedicated to improving safety and security on America's college campuses.

Annual Report: Schools have to publish an annual report that contains three years' worth of campus crime statistics. The report is to be made available automatically to all current students and employees while prospective students and employees are to be notified of its existence and afforded an opportunity to request a copy.

Crime Statistics: Each school must disclose crime statistics for the campus, unobstructed public areas immediately adjacent to or running through the campus and certain non-campus facilities including Greek housing and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement and other school officials who have "significant responsibility for student and campus activities" such as student judicial affairs directors.

The statistics are also broken down geographically into "on campus," "residential facilities for students on campus," non-campus buildings or "on public property" such as streets and sidewalks.

The following definitions are to be used when compiling campus crime statistics under the Clery Act (current as of January 2012; see www.fris.org for any subsequent updates to definitions):

Sex Offenses-Forcible

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

A. Forcible Rape – The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

B. Forcible Sodomy – Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. Sexual Assault With An Object – The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. Forcible Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses-Non-Forcible

Unlawful, non-forcible sexual intercourse.

A. Incest – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Access to Timely Information: Schools are also required to provide "timely warnings" and a separate more extensive public crime log. It is these requirements which are most likely to affect the day-to-day lives of students. The timely warning requirement is triggered when the school considers a crime to pose an ongoing "threat to students and employees." The log records all incidents reported to the campus police or security department.

Public Crime Log: Each institution with a police or security department must have a public crime log. Schools are required to disclose in the public crime log "any crime that occurred on campus...or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department."

The log must be publicly available during normal business hours. This means that in addition to students and employees, the general public, such as parents or members of the local press, may access it.

Statement of Policy: The act requires a statement of policy regarding campus sexual assault program to prevent sex offenses and procedures to follow when a sex offense occurs. The statement must include:

- Description of educational programs to promote the awareness of rape, acquaintance rape and other forcible and non-forcible sex offenses
- Procedures students should follow if a sex offense occurs
- Information on the student's option to notify proper law enforcement officials (including on campus and local police)
- Notification of existing on- and off-campus counseling, mental health or other student services for victims of sex offenses
- Notification that an institution will change the victim's academic and living situations if changes are requested and are reasonably available
- Procedures for campus disciplinary procedures in cases of a reported sex offense

Federal Laws on Discrimination in Education

Title IX of the Education Amendment of 1972

The 2011 "Dear Colleague Letter" from the U.S. Department of Education "reminds" schools of their obligation under Title IX to respond to sexual harassment and that sexual assault is included in Title IX's definition of sexual harassment.¹

- Immediate and appropriate action to investigate or otherwise determine what occurred.
- Prompt and effective steps to end the sexual violence, prevent its recurrence and address its effects, whether or not it is the subject of a criminal investigation.
- Protection of complainant as necessary.
- Provision of a grievance procedure for students to file complaints, which give equal opportunity for both parties to present evidence and the same appeal rights.
- Grievance procedures must use the preponderance of the evidence standard to resolve complaints of sex discrimination.
- Notify both parties of the outcome of the complaint.

In 2011, the U.S. Department of Education reminded schools in a "Dear Colleague Letter" (DCL) that they are required by Title IX of the Education Amendment of 1972 to take certain steps to respond to sexual harassment. Included in Title IX's definition of sexual harassment are rape, sexual assault, sexual battery and sexual coercion—these acts are the focus of the DCL.

No new obligations for schools under Title IX are required; instead, the DCL is meant to clarify responsibilities under this act and help schools protect students and avoid liability (Burzunis & Newhall, 2011).

Schools' Obligations under Title IX Regarding Sexual Violence

- Once a school knows or reasonably should know of possible sexual violence, it must take *immediate and appropriate action to investigate or otherwise determine what occurred*. If sexual violence has occurred, a school must take *prompt and effective steps to end the sexual violence, prevent its recurrence and address its effects, whether or not it is the subject of a criminal investigation*.
- A school must take steps to *protect the complainant as necessary*, including interim steps taken prior to the final outcome of the investigation.
- A school *must provide a grievance procedure for students to file complaints* of sex discrimination, including complaints of sexual violence. These procedures must include an *equal opportunity for both parties to present evidence and the same appeal rights*.
- A school's *grievance procedures must use the preponderance of the evidence standard* to resolve complaints of sex discrimination.
- A school must *notify both parties of the outcome of the complaint*.

To meet these obligations, the Department of Education (through the DCL) recommends numerous actions such as information, programming, and training for school personnel and students, and clarifying related school policies/procedures.

Recommendations in relation to campus police (summarized with some excerpts from DCL):

- Training and information to ensure they know how to address sexual violence properly.
- Training and information on the school's Title IX responsibilities and grievance procedures and any other procedures used for investigating reports of sexual violence.
- Clarification that "a law enforcement investigation does not relieve the school of its independent Title IX obligation to investigate" reported sexual violence.
- "The school's Title IX coordinator or designee should be available to provide assistance to school law enforcement personnel regarding how to respond appropriately to reports of sexual violence. The Title IX coordinator also should be given access to school law enforcement unit investigation notes and findings as necessary for the Title IX investigation, so long as it does not compromise the criminal investigation."
- "Schools should not wait for the conclusion of a criminal investigation or criminal proceeding to begin their own Title IX investigation and, if needed, must take immediate steps to protect the student in the educational setting."
- "Any agreement or MOU with a local police department must allow the school to meet its Title IX obligation to resolve complaints promptly and equitably...Although a school may need to delay temporarily the fact-finding portion of a Title IX investigation while the police are gathering evidence, once notified that the police department has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of

any charges), the school must promptly resume and complete its fact-finding for the Title IX investigation. Moreover, nothing in an agreement or the criminal investigation itself should prevent a school from notifying complainants of their Title IX rights and the school's grievance procedures, or from taking interim steps to ensure the safety and well-being of the complainant and the school community while the law enforcement agency's fact-gathering is in progress."

- Students should be provided information to encourage reporting of sexual violence.

¹The 19-page DCL issued by the U.S. Department of Education, Office for Civil Rights on 4/4/11 is available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf>. The above information is from the *Sexual Violence DCL Fact Sheet* at <http://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201104.pdf> and directly from the DCL.

The Link between Alcohol and Sexual Assault

At least 50 percent of college students' sexual assaults are associated with alcohol use.¹

In 81 percent of the alcohol-related sexual assaults, both the victim and the perpetrator had consumed alcohol.*

¹Abbey, A. (2002). Alcohol-Related Sexual Assault: A Common Problem among College Students.

The Link between Alcohol and Sexual Assault

Alcohol as a Weapon

Why Alcohol?

- Ubiquitous
- Socially Acceptable
- Consensually Used by Victim
- Expectation About Alcohol's Effect
- Beliefs About Women Who Drink
- Alcohol's Effect on Women's Ability to React to Risk

Alcohol as a Weapon

Many perpetrators use alcohol as a weapon to commit sexual assault. Sexual assault is not about sex, it is about power and control. Alcohol is used to facilitate dominance over the victim. Offenders often ply women with alcohol or target an already intoxicated woman. Unfortunately, this is often true in fraternities and other male-centered organizations. "Candy is dandy, but liquor is quicker" is a familiar refrain that is often used on campuses to describe this form of coercion (Nash, 2007).

Why Alcohol?

Ubiquitous

Surveys of drinking patterns show that college students are more likely than their age-counterparts who are not in college to consume any type alcohol, drink heavily and engage in heavy episodic drinking. Studies show that one third of American colleges have a majority of students who engage in high-risk drinking.

Sixty three percent of underage students reported drinking in the past 30 days and, though they drink less frequently, they drink more per occasion than of-age students, according to a Harvard School of Public Health College Alcohol Study. Many of the underage students surveyed said they obtained the alcohol at fraternity parties or parties held by other campus groups that charge an admission fee entitling guests to unlimited drinks.

Socially Acceptable

Alcohol consumption on many campuses has evolved into a rite of passage. Traditions and beliefs handed down through generations of college drinkers serve to reinforce students' expectations that alcohol is a necessary component of social success. Certain campus characteristics also reinforce the culture of college drinking. Rates of excessive alcohol use are highest at colleges and universities where Greek systems (i.e., fraternities and sororities) dominate and at those where sports teams have a prominent role.

Many students use alcohol to relax, blow off steam and/or fit it in with peers. However, alcohol is also often used as an excuse for acting out and perpetrators know this. When it comes to sexual assault, alcohol is used by perpetrators as a permission slip. Perpetrators know that many people hold men less responsible for an assault if they were drunk, i.e. "He was drunk. He didn't know what he was doing." Many also hold women more responsible for an assault if they had been drinking prior to the assault, i.e. "She was drinking all night. What did she expect?"

Consensually Used by Victim

In 81 percent of the alcohol-related sexual assaults, both the victim and the perpetrator had consumed alcohol (Abbey, 2002). In what other crime is the weapon used to commit the crime also used by the victim?

Expectations about Alcohol's Effect

Alcohol is commonly viewed as an aphrodisiac that increases sexual desire and capacity. Expectations have a power of their own. When people expect a certain outcome, they tend to act in ways that enhance the likelihood that the outcome will occur. Alcohol reduces motor function and has also been shown to reduce a person's ability to analyze complex social situations appropriately (Sampson, 2002). This may lead the victim or perpetrator to ignore or misunderstand typical sexual cues (Sampson, 2002).

The beliefs and expectations some men may hold about alcohol may predispose them to act sexually and aggressively after drinking. In other words, it becomes a self-fulfilling prophecy. For example, if a man starts out the evening thinking, "I'm going to have sex

tonight,” drinking alcohol may allow him to interpret a woman’s behavior in a way that fits his original hypothesis, ignoring cues that she is not interested. Men with these expectations may feel more comfortable forcing sex when they are drinking because they can later justify to themselves (and others) that the alcohol made them act inappropriately.

Beliefs about Women Who Drink

In our society, women who drink alcohol are frequently perceived as being more sexually available and sexually promiscuous than women who do not drink alcohol.

Women who were drunk when raped are often viewed by others as partially responsible for what happened. Due to gender roles in our society, women are expected to set limits on sexual activities and are often held responsible when men overstep them.

It is no wonder, then, that many women feel that sexual assault is their fault – especially if they had been drinking prior to the assault. While perpetrators often use alcohol to excuse sexual assault, it has been suggested that a large percentage of college-age rape victims blame themselves entirely for the attack because they were using drugs or alcohol (Sampson, 2002; Schwartz & Leggett, 1999).

Alcohol’s Effect on Women’s Ability to Assess and React to Risk

Drinking may keep a woman from noticing a man’s attempts to get her into an isolated location or his encouragement for her to drink even more. Alcohol’s effects on motor skills may limit a woman’s ability to resist sexual assault effectively – verbally and physically. Researchers have found that sexual assault victims who reported being at least somewhat drunk were less likely to use physical resistance strategies than victims who were not drunk.

[Activity 2: The Undetected Rapist](#)

Immediate and Long-term Effects of Sexual Assault

Shock and disbelief

Recurring thoughts

Memories, nightmares, flashbacks

Self-blame and shame

Fears about safety

Psychological disorders

Other effects may include:

Depression

Social withdrawal

Numbing/apathy (detachment, loss of caring)

Reduced ability to express emotions

Difficulty concentrating

Diminished interest in sexual activities or sex

Promiscuity

Impaired memory

Loss of appetite and eating disorders

Thoughts of suicide and death

Substance abuse

Dropping out of school

Difficulty holding down a job

It is normal for survivors to experience a range of feelings after a sexual assault and all survivors will react to the incident in their own way. One survivor may feel intense anger and even have feelings of revenge, while another may feel numb.

Shock and Disbelief

Immediately after the assault most victims are in a state of shock. Some will act as if nothing has happened, trying to make life seem normal. Others find themselves in a daze, having difficulty focusing or getting mobilized.

Recurring Thoughts

There may also be periods when survivors are preoccupied with thoughts and feelings about the assault. They may have unwanted memories, flashbacks or nightmares. When they think about what happened, they may re-experience some of the sensations and feelings they had during the assault, such as fear and powerlessness.

Self-blame and Shame

They may feel that the assault was their fault or that they could have done something to prevent it. They may also feel guilty, ashamed and vulnerable in ways they never experienced before.

Fears about Safety

They may have trouble trusting other people. Sexual intimacy may be difficult if it brings painful memories or a fear of losing control. Survivors may feel alone in their experience and that no one can understand.

Psychological Disorders

The chances that a victim will develop post-traumatic stress disorder (PTSD) after an assault are between 50 and 95 percent (Population Information Program, 2000).

All of these feelings and reactions are normal responses to sexual assault. It is also common for some feelings to resurface or new ones to emerge later on in a survivor's life. Periods of stress, new intimate relationships, the anniversary of the incident or situations such as seeing the perpetrator or testifying in court can trigger intense feelings.

Activity 3: Sexual Violence Spectrum

Tips for Responding to Victims of Sexual Assault

- Be prepared for any type of emotional reaction by the victim.
- Avoid interpreting calmness as evidence that a sexual assault did not occur.
- Approach the situation calmly.
- Ask if the victim would like you to contact a family member or friend.
- Offer to contact a sexual assault crisis counselor.
- Be careful not to appear overprotective or patronizing.
- It is normal for victims to want to forget or to actually forget, details of the crime that are difficult for them to accept.
- Encourage the victim to get medical attention.
- Escort the victim to the hospital.
- Maintain confidentiality.
- Minimize the number of times the victim must recount details of the crime to first responders.
- Encourage the victim to get counseling.

Your approach as a first responder to sexual assault victims can significantly affect whether the victims begin the road to recovery or suffer years of trauma and anguish.

Be prepared for any type of emotional reaction. Be unconditionally supportive and permit the victim to express her/his emotions, which may include crying, angry outbursts and/or silence.

Avoid interpreting calmness as evidence that a sexual assault didn't occur. Everyone handles trauma differently. The victim might be in shock.

Approach the situation calmly. Showing your outrage at the crime may cause the victim even more trauma.

Ask if the victim would like you to contact a family member or friend.

Offer to contact a sexual assault crisis counselor. Ask the victim whether she/he would prefer a male or female counselor. In addition, ask the victim whether she/he would prefer talking with you or a law enforcement officer of the opposite sex.

Be careful not to appear overprotective or patronizing. All control was stripped from the victim during the assault. Empower her/him to make decisions about what steps to take next. Inform the victim of all actions you are taking.

It is normal for victims to want to forget or to actually forget, details of the crime that are difficult for them to accept. The use of alcohol or drugs prior to the assault or if the victim was given a drug, can affect memory. Just because a victim's memory of the events might vary does not mean she/he is lying.

Encourage the victim to get medical attention. Keep in mind, however, that victims may feel humiliated and embarrassed that their bodies were exposed during the sexual assault and must be exposed again during a medical examination. Additionally, a forensic medical examination can provide evidence for the apprehension and prosecution of the perpetrator.

Escort the victim to the hospital. Notify the hospital of the incoming victim/patient and request a private waiting room. If no rape crisis counselor is available, wait at the hospital until the victim is released and offer accompaniment to her/his destination.

Maintain confidentiality. Victims may have a number of concerns, including the possibility of pregnancy or contracting sexually transmitted diseases; she/he may not be ready to handle the reactions of friends or parents and media publicity, which may reveal the victimization to the public.

Minimize the number of times the victim must recount details of the crime to first responders. If possible, only one law enforcement officer should be assigned to the initial interview and subsequent investigation. Having to recount the details of the assault repeatedly can feel like a second violation to many victims.

Encourage the victim to get counseling. Explain that she/he may experience post-traumatic stress symptoms in the next few days, weeks or months. Identify and refer her/him to support services for assistance.

Protocols for Departments that Handle Sexual Assault Reports

- Protocols and policies provide the necessary foundation for a uniform and efficient response.
- Uniform procedures increase the likelihood that victims and perpetrators are interviewed appropriately and key evidence preserved.
- When cases are turned over to a local law enforcement department for investigation or prosecuting attorney for prosecution, implementation of uniform procedures following a protocol can increase the strength of case information.

Whether the campus security force is comprised of fully sworn police officers or hired security guards, the department's response to sexual assault reports must be based in protocol, supported by training and sensitive to victim needs. To achieve this, every campus plan to address sexual assault must include first responder and investigation protocols for campus law enforcement or security.

Protocols for Departments that DO NOT Conduct Criminal Investigations of Sexual Assault Reports

When the campus is not the primary investigative agency for sexual assault, a written policy and protocol must be implemented establishing procedures for the following:

- Notifying the appropriate investigative law enforcement agency (for mandating reporting of violations of criminal law)
- Providing written information to the victim about contacting appropriate campus and community rape crisis support services
- Informing the victim about forensic medical examinations and how to access these services
- Interacting with other offices on campus such as judicial affairs, housing, student health services, counseling center and campus ministries
- Complying with the Clery Act and other mandatory reporting requirements
- Maintaining appropriate levels of confidentiality
- Following up with the victim

Protocols for Departments that DO Conduct Criminal Investigation of Sexual Assault Reports

Every campus with a law enforcement/security department with responsibility for investigating sexual assaults (criminal investigations) must develop a protocol that includes the following:

- Procedure for notifying and mobilizing all critical campus units in the event of an assault
- Requirement to notify victims of the right to have an advocate and support person present during interviews
- Procedure for contacting a qualified support person for the victim and accused
- Procedure for connecting the victim and accused with medical and forensic evidence services
- Steps for complying with Clery Act, Title IX and other mandatory reporting requirements
- Resource information for both on- and off-campus service providers for victims and accused
- Protocol for separately transporting the victim and the accused to off-campus offices
- Procedure for obtaining alternative living arrangements for victim, if requested
- Procedure to ensure confidentiality
- Protocol for releasing information to the media and issuing timely warnings to the campus community
- Procedures for working with the local prosecuting attorney's office
- Protocol for working with victims who choose not to officially report an incident

Policies and Practices that Aid Victims When Reporting

- Provisions for confidential reporting
- Provisions for anonymous reporting (see handout)
- Written law enforcement protocols for responding to reports
- Coordinated crisis response across campus and community
- Forensic medical evidence collection by sexual assault nurse examiners (SANEs)
- On-campus victim assistance services office
- Sexual assault peer educators
- First-year and new student orientation programs

Because barriers to reporting exist at many levels, a single policy or approach is inadequate. The optimum approach to encourage reporting would be to combine a number of strategies, including making campus staff more responsive to reports of sexual assault and offering prevention education for the general student population as well as for specific groups. In a U.S. Department of Justice study entitled *Sexual Assault on Campus: What Colleges and Universities Are Doing About It* (Karjane, Fisher & Cullen, 2005), Congress asked what policies aid in encouraging reporting. In response, researchers interviewed administrators and found: services for victims, written law enforcement response protocols, coordination between campus and community, new student orientations and campus-wide publicity about past crimes facilitate reporting.

- Administrators at almost 90 percent of the schools studied believe that prevention programs targeting athletes and students in the Greek system encourage reporting.
- As noted earlier, most administrators believe that a policy allowing confidential and anonymous reporting encourages both victims and other students to report assaults.
- Most administrators consider sexual assault peer educators to be conducive to reporting, but only about one in five schools offer this type of program.

Any policy or procedure that compromises or worse, eliminates the student victim's ability to make her or his own informed choices about proceeding through the reporting and adjudication process—such as mandatory reporting requirements that do not include an anonymous reporting option or that require the victim to participate in the adjudication process if the report is filed—not only reduces reporting rates but may be counterproductive to the victim's healing process.

Activity 4: Semantics

C.4. WORKSHOP ACTIVITIES FOR CAMPUS POLICE

ACTIVITY 1: GENDER AND SEXUAL ASSAULT

Below are two stories about Chris, followed by questions. The stories are almost identical except in one story Chris is a young man; in the other, Chris is a young woman. The objective of this activity is to challenge participants to think critically about gender and how gender frames the ways we understand and explain sexual assault.

Supplies: The two “Gender and Sexual Assault” stories.
Pencils

Directions:

- 1) Give half of the class the “Chris as young woman” story; give the other half the “Chris as young man” story. Do not let the participants know they have been given different stories. Allow time for participants to answer the questions.
- 2) Divide the class into same-story groups of 3-5. Allow time for the participants to discuss their answers.
- 3) Next, ask the groups to report their answers back to the class. Jot their answers down on the board—on one side of the board Chris is a young man; on the other Chris is a young woman.

Note: Some participants may suggest that the male Chris would not say “no” to sex. Some participants may insist that all men want sex, all the time. Discuss this stereotype:

- What types of pressure does this stereotype place on men?
- How might this stereotype be conducive to sexual assault—in what ways might it contribute to men excusing their own violent behavior?
- In what ways might it contribute to women excusing/accepting men’s violent behavior?
- In what ways might it contribute to victim blaming?

GENDER AND SEXUAL ASSAULT

Chris is an attractive young woman. She is at a party and she has been drinking. She cannot remember exactly how much she has had, but she knows it has been quite a bit and is feeling pretty drunk. Chris came to the party with her roommate but she's not sure if her roommate is still here. She knows some of the people at the party, but not all of them. She likes meeting new people and letting loose and she's having a great time. Chris is pretty fashion conscious—she likes to look sexy and she does tonight. She is flirting with lots of different guys. She would like to hook up. Chris gets another drink.

- List five adjectives other young women at the party might use to describe Chris.
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
- List five adjectives young men at the party might use to describe Chris.
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.

Chris hooks up with a guy at the party. She doesn't know him that well but he's attractive and fun to talk to.

- What might some of the guys at the party be saying/thinking about Chris?

- What might some of the other girls at the party be saying/thinking about Chris?

Chris and the guy she hooked up with go somewhere a little more private. Things are getting hot and they're having a lot of fun. Chris doesn't want to have sex.

When she tells the guy this, he will probably:

- a. be disappointed/surprised but say "no problem"
- b. try to pressure her to have sex
- c. be angry and do something to hurt Chris (*i.e., force himself on Chris, storm away and start spreading rumors about her*)
- d. other:

If the guy she has hooked up with does do something to hurt Chris:

- a. it's her own fault. She was drunk, flirting and she hardly knew him.
- b. it's not her fault. She just wanted to have fun; not get hurt.
- c. it's not his fault. He was drunk and didn't know what he was doing.
- d. other:

(Adapted from "Spin the Bottle: Sex, Lies and Alcohol Study Guide" by Media Education Foundation)

GENDER AND SEXUAL ASSAULT

Chris is an attractive young man. He is at a party and he has been drinking. He cannot remember exactly how much he has had, but he knows it has been quite a bit and is feeling pretty drunk. Chris came to the party with his roommate but he's not sure if his roommate is still here. He knows some of the people at the party, but not all of them. He likes meeting new people and letting loose and he's having a great time. Chris is pretty fashion conscious—he likes to look sexy and he does tonight. He is flirting with lots of different girls. He would like to hook up. Chris gets another drink.

- List five adjectives other young men at the party might use to describe Chris.
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 - 5.
- List five adjectives young women at the party might use to describe Chris.
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.

Chris hooks up with a girl at the party. He doesn't know her that well but she's attractive and fun to talk to.

- What might some of the other guys at the party be saying/thinking about Chris?

- What might some of the women at the party be saying/thinking about Chris?

Chris and the girl he hooked up with go somewhere a little more private. Things are getting hot and they're having a lot of fun. Chris doesn't want to have sex.

When he tells the girl this, she will probably:

- a. be disappointed/surprised but say “no problem”
- b. try to pressure him to have sex
- c. be angry and do something to hurt Chris (*i.e., force herself on Chris, storm away and start spreading rumors about him*)
- d. other:

If the girl he has hooked up with does do something to hurt Chris:

- a. it’s his own fault. He was drunk, flirting and he hardly knew her.
- b. it’s not his fault. He just wanted to have fun; not get hurt.
- c. it’s not her fault. She was drunk and didn’t know what she was doing.
- d. other:

(Adapted from “Spin the Bottle: Sex, Lies and Alcohol Study Guide” by Media Education Foundation)

ACTIVITY 2: THE UNDETECTED RAPIST:

[SEE SECTION 3.D FOR ACTIVITY MATERIALS](#)

ACTIVITY 3: SEXUAL VIOLENCE SPECTRUM:

[SEE SECTION 3.E FOR ACTIVITY MATERIALS](#)

ACTIVITY 4: SEMANTICS

Words are important. Words are especially important in the field of sexual violence prevention/education. Consider the following example adapted from a presentation given by Jackson Katz, director of MVP Strategies, at an October 2002 seminar.

Supplies: Blackboard or flipchart

Directions:

- 1) Write the statement, “Casey raped Lauren” on the blackboard or flipchart.
- 2) Ask participants to rephrase the statement using a passive voice. *Instead of the active verb “raped,” the passive voice uses the passive verb form “was raped.”*
- 3) Rewrite the second sentence, dropping the words “by Casey.”
- 4) Ask participants to exchange the word “raped” to a more palatable word. *For example, “sexually assaulted.”*
- 5) Finally, ask participants to change the sentence back to the active voice. *Instead of using the passive verb “was,” they will use the active verb “is.” If participants are having difficulty with this step, ask them how they would write the sentence if they were to “label” Lauren.*
- 6) By the end, the following statements will be written on the blackboard or newsprint:
 - 1) Casey raped Lauren.
 - 2) Lauren was raped by Casey.
 - 3) Lauren was raped.
 - 4) Lauren was sexually assaulted.
 - 5) Lauren is a sexual assault victim.
- 7) Ask participants the following questions, then move into a discussion on semantics using the discussion points below.
 - 1) Where is the blame in the first sentence?
 - 2) Where is the blame in the fifth sentence?

Discussion Points:

Are the five sentences written on the blackboard/flipchart synonymous? The progression from the first sentence to the fifth is from a description of action to one of effect. Grammatically, this is called active versus passive voice. In a sentence using active voice, the subject is taking action (sentence 1). In a passive voice, the subject is being acted upon (sentence 2). In the sentences listed on the blackboard/flipchart, the focus shifts from what Casey did to what happened to Lauren, to who Lauren is (how she is labeled). The blame shifts. By the third and subsequent sentences, Casey is no longer accountable for raping Lauren. In fact, by the end, the perpetrator is not even mentioned. It is solely Lauren’s (the victim’s) issue.

When discussing sexual violence, the problem with switching from active to passive voice is one of blame and responsibility. Where is the blame in the first sentence? Clearly, with Casey.

Where is the blame in the fifth sentence? With the absence of Casey, we are left to choose between an anonymous void or Lauren. Though intellectually we may know she is not to blame, we wonder what she did to be raped.

As Casey is dropped from the sentences, so is his culpability. Casey may have raped Lauren, but now it is Lauren with the problem. Lauren is now to blame for allowing this to happen. The focus shifts from Casey's criminal behavior to Lauren's victimization.

Many times, this grammar switch is done with good intentions. To say "Casey raped Lauren" is a harsh sentence. People who are trying to be sensitive or politically correct often look for less confrontational phrases. Since Casey raped Lauren, she can now be classified as a sexual assault victim. People may be more comfortable identifying a woman as being a sexual assault victim than they are identifying a man as a rapist.

When discussing victimization, be mindful of who is doing the acting and against whom the action is being taken. Realize that sentence structure alters the strength of the statement.

(Adapted from Men's Group: A Curriculum for Helping Men Who Are Committed to Understanding and Ending Sexual Violence by Crime Victim Center of Erie County, Inc. © 2005)

C.5. ADDITIONAL MATERIALS FOR CAMPUS POLICE

1. Anonymous Report Form for Sexual Assault
2. Sexual Assault Response Protocol

ANONYMOUS REPORT FORM FOR SEXUAL ASSAULT:

[SEE SECTION 3.F FOR MATERIALS](#)

SEXUAL ASSAULT RESPONSE PROTOCOL:

[SEE SECTION 3.G FOR MATERIALS](#)

D. SEXUAL ASSAULT PREVENTION PROGRAM FOR COLLEGE ADMINISTRATORS & CAMPUS JUDICIAL AFFAIRS

D.1. Overview

D.2. Training Outline

D.3. Workshop Presentation

D.4. Workshop Activities

D.5. Additional Materials

2.D. SEXUAL ASSAULT PREVENTION PROGRAM FOR COLLEGE ADMINISTRATORS AND CAMPUS JUDICIAL AFFAIRS

D.1. OVERVIEW OF SEXUAL ASSAULT, COLLEGE ADMINISTRATORS AND CAMPUS JUDICIAL AFFAIRS

Sexual assault is a critical issue for all college and university campuses. Sexual assault does not just affect individual students, but the entire campus community. Sexual assault compromises the integrity of the safe, welcoming environment campuses are supposed to provide, impinging on the academic and social success of all students.

Supporting a comprehensive institutional approach to address sexual assault ensures that all members of the campus community have access to the education they seek. Administrators need to show support by providing adequate levels of funding, space, staffing and other assistance to a sexual assault prevention program. Administrators, who believe in a program, provide the resources for it.

Since campus-wide support of rape prevention programs is crucial for success, administrators may want to advocate that active participation in the programs be used as one measure in an individual's performance evaluation. It is also necessary to educate all residence directors and assistants, club or organization advisors, Greek organization advisors and counseling personnel about sexual assault.

Key program elements should include the following:

- Information on federal laws regarding sexual assault on college campuses;
- Accurate definitions of stranger, acquaintance, party and gang rape;
- A discussion of the relationship between rape and alcohol use;
- A comparison of the frequency of acquaintance rape with that of stranger rape;
- A discussion of commonly held misconceptions about sexual assault;
- An emphasis on the immediate and long-term psychological harm to sexual assault victims;
- Information on the Victim's Bill of Rights and a discussion on judicial officers' duty to ensure those rights;
- Information on the elements of an effective campus program for responding to the problem of sexual assault; and
- Steps for implementing or improving a sexual assault prevention program.

D.2. TRAINING OUTLINE FOR COLLEGE ADMINISTRATORS & CAMPUS JUDICIAL AFFAIRS

10 minutes	Introduction <ul style="list-style-type: none">A. Housekeeping detailsB. Introduction of presentersC. Introduction of Agency
70 minutes	Presentation <ul style="list-style-type: none"><u>A. Why Should We Work to Prevent Sexual Assault?</u><u>B. What Is Sexual Assault?</u><u>C. Acquaintance/Non-Stranger Rape</u><u>Activity 1: Mr. Smith's Trial</u><u>D. Myths and Facts</u><u>E. Victim Underreporting</u><u>F. Policies and Practices That Aid in Reporting by Victims</u><u>G. The Link Between Alcohol and Sexual Assault</u><u>Activity 2: The Undetected Rapist</u><u>H. Immediate and Long-Term Effects of Sexual Assault</u><u>Activity 3: Sexual Violence Spectrum</u><u>I. Campus-Based Sexual Assault Programs</u><u>J. Elements of an Effective Program</u><u>K. Ways to Provide Program Support</u><u>L. Creation of a Sexual Assault Response Team</u><u>M. Federal Laws on Campus Crime (optional)</u><u>Activity 4: Developing an Action Plan</u>
10 minutes	Closure and Q & A

D.3. WORKSHOP PRESENTATION FOR COLLEGE ADMINISTRATORS & CAMPUS JUDICIAL AFFAIRS

Why Should We Work to Prevent Sexual Assault?

Federal law requires it.

- Clery Act
- Title IX

Sexual assault causes serious harm to schools.

- Damaged reputations
- Financial loss due to low enrollment
- Lawsuits

Sexual assault is a serious problem.

- Rape is one of the most common violent crimes on American college campuses today.¹
- One in five young women experience rape during college.²

Federal law requires it: The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act requires that schools annually disclose information about crime, including specific sexual crime categories, in and around campus to college students, campus employees, prospective students and their parents. Schools are also required to report these statistics to the U.S. Department of Education and make them available to the general public. In addition, the act requires that each college and university have policies and procedures for intervention and discipline for these major crimes as well as educational programming to help reduce the risks of college students becoming victims.

Schools are also required by Title IX of the Education Amendment of 1972 to take certain steps to respond to sexual violence. Once a school knows or reasonably should know of possible sexual violence, it must take immediate and appropriate action to investigate or otherwise determine what occurred. If sexual violence has occurred, a school must take prompt and effective steps to end the sexual violence, prevent its recurrence and address its effects, whether or not it is the subject of a criminal investigation. A school must also take steps to protect the complainant as necessary. In addition, a school must provide a grievance procedure for students to file complaints of sexual violence that includes an equal opportunity for both parties to present evidence, offers the same appeal rights and that uses the preponderance of the evidence standard to resolve complaints of sex violence. Lastly, a school must notify both parties of the outcome of the complaint.

Sexual assault causes serious harm to schools: Sexual assault can have severe consequences for schools, from damaged reputations to major financial losses.

Negative publicity can affect the school's ability to attract new students. Many financial magazines now suggest that, in deciding where to apply to college, students and their parents investigate campus crime data and the seriousness of the school's efforts to prevent crime.

Perhaps most harmful of all are lawsuits against schools. As property owners, schools have a legal duty to maintain a safe campus. Accordingly, a school may be liable “if it fails to remedy a foreseeable dangerous state of affairs of which it is or should be, aware” (American Council on Education, 1992). In practical terms, this legal duty means that:

- If a school knows that alcohol is being served or consumed on its premises, the school has a duty to properly police the place or the event where alcohol is consumed;
- If alcohol-related problems, such as sexual assault, occur at predictable times and places, the school must make reasonable efforts to prevent a recurrence; and

The school may be liable if it fails to deal effectively with repeat student offenders whose conduct eventually results in more damage. For example, four women from a college in Minnesota who were sexually assaulted by two male students, after the college already knew the men were rapists, sued the school for not acting in a responsible manner to protect other women on campus from those men (Finn, 1995).

While all schools carry liability insurance, their insurance policy may not cover failure to provide a safe environment. Depending on the school’s loss history, subsequent years’ insurance premiums may increase or the insurance policy may be cancelled. In any case, insurance does not cover punitive damages (Finn, 1995).

In November 2000, a former Boston University student publicly accused the school of covering up her rape complaint. The suit charges that the university botched the investigation into her alleged assault and discredited her allegations in order to avoid reporting the rape. It also alleges that BU “knowingly ignored” the definition of assault, which includes acts where the victim “is incapable of giving consent”; that it retaliated against her for filing a rape complaint; that it failed to adequately train officials in counseling; and that it fosters a hostile climate for assault victims. The U.S. Department of Education investigated whether BU actively discourages rape victims from reporting their assaults.

Sexual assault is a serious problem: Many people do not realize – or do not want to admit – that sexual assault can result in profound temporary and lasting emotional scarring for the victim. Rather than face their perpetrator in class, in the residence hall, in the dining hall or on campus, students may drop out of college (Bohmer and Parrot, 1993; Carr, 2005). When victims remain in school, they may have problems concentrating, studying and attending classes. They may fear running into the person(s) who perpetrated the violent act so they may avoid academic and social activities. College life may become so stressful that they develop clinical symptoms of trauma or anxiety. Sexual violence can affect a student’s entire post-secondary educational experience, resulting in significant negative educational consequences for the victims. Negative effects on academic performance following an assault include a decrease in grade point average, reduced course loads and suspension of studies for varying lengths (Bohmer and Parrot, 1993, Carr, 2005).

Universities fail in their duty to provide students with a supportive learning environment when victims of sexual assault drop out of school. Not only should schools work to prevent sexual assault, but they should also have policies and procedures in place to support victims after an assault as occurred.

Many sexual assault perpetrators are repeat offenders (Lisak and Miller, 2002). The term “date rape” so commonly used on college campuses has led many to believe that campus rapes are inadvertently committed by almost any “basically good guy” who when faced with the combination of too much alcohol and “miscommunication” accidentally sexually assaults a woman. Research on sexual perpetrators over the last two decades has clearly shown that the majority of campus rapes are not accidents due to miscommunication. In fact, it is clear that most campus rapes are committed by a small number of male students who are, in essence, serial rapists.

¹Finn, P. (1995). *Preventing Alcohol-Related Problems on Campus: Acquaintance Rape – A Guide for Program Coordinators*. Newton, MA: Higher Education Center for Alcohol and Other Drug Prevention.

Fisher, B., Sloan, J. & Cullen, F. (1995). *Final Report: Understanding Crime Victimization Among College Students: Implication for Crime Prevention*. Washington, DC: U.S. Department of Justice.

Sampson, R. (2002). *Acquaintance Rape of College Students*. Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services.

²Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*. Washington, DC: U.S. Department of Justice, National Institute of Justice and Bureau of Justice Statistics.

WHAT IS SEXUAL VIOLENCE?

Sexual violence is any unwanted sexual contact. It includes unwanted intercourse (vaginal oral or anal) and/or touching, fondling or groping of sexual body parts. It can be committed by the use of threats or force or when someone takes advantage of circumstances that render a person incapable of giving consent.

Having intercourse with someone who is unconscious or intoxicated is rape.

ACQUAINTANCE/NON-STRANGER RAPE

Nine out of 10 times, the victim knows her perpetrator.¹

Acquaintance rape is sexual assault between two people who know each other.

Classmate

Friend

Boyfriend

Ex-boyfriend

Other acquaintance

¹Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*.

ACQUAINTANCE/NON-STRANGER RAPE

Sexual assault can occur in a variety of contexts:

- Party rape (can also include gang rape)
- Rape on a date
- Rape in a non-party and non-date situations (e.g. while studying together)
- Rape by a former intimate partner
- Rape by a current intimate partner

The typical “party rape” occurs at an off-campus residence or on- or off-campus fraternity and involves the perpetrator plying his victim with alcohol or targeting someone who is intoxicated. By contrast, acquaintance rape typically involves two people who are just becoming acquainted and the offender rapes the woman in a car or residence after the date. Most acquaintance rapes do not occur on dates. Instead, they occur when the victim and perpetrator are otherwise in the same place (i.e., at a party or studying together).

The term “date rape” so commonly used on college campuses has also led many to believe that campus rapes are inadvertently committed by almost any “basically good guy” who, when faced with the combination of too much alcohol and “miscommunication,” accidentally sexually assaults a woman. Research on sexual perpetrators over the last two decades has clearly shown that the majority of campus rapes are not accidents due to miscommunication and, in fact, are committed by a small number of male students who are, in essence, serial rapists.

Most campus sexual assaults are non-stranger sexual assaults. Nine out of 10 times the victim knows her perpetrator (Fisher, Cullen & Turner, 2000). Therefore, programs that address only stranger rape are often ineffective. Separate programs for stranger rape and acquaintance/non-stranger rape can undermine the progress they are attempting to make in the fight against sexual assault by feeding the myth that “real” rapes are stranger rapes and that acquaintance rapes are just “dates gone wrong.”

[Activity 1: Mr. Smith’s Trial](#)

Myths and Facts

MYTH: Rape is caused by the perpetrator’s uncontrollable sexual urge.

FACT: Rape is an act of power and control, not sex. Rapes are often planned.¹

MYTH: Most rapists are strangers to their victims.

FACT: On college campuses, 90 percent of sexual assaults are committed by someone known to the victim.²

MYTH: The victim must have “asked for it” by being seductive, careless, drunk, etc.

FACT: The blame lies with the perpetrator. Poor judgment is not a “rape-able” offense.³ And since most rapes are planned, what the victim is wearing could not be a factor.

MYTH: Women lie about sexual assault to save their reputation or to get revenge.

FACT: FBI statistics show that only 3 percent of rape calls are false reports. Rape is a vastly underreported crime.⁴

¹ On college campuses, for example, alcohol plays a large role in sexual assault. Men who have committed sexual assault frequently report getting their female companion drunk as a way of making it easier to talk or force her into having sex. Abbey, A. (2002). Alcohol-Related Sexual Assault: A Common Problem among College Students. *Journal of Studies on Alcohol*, Supplement 14: 118-128.

² Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*.

³ Many perpetrators use alcohol as a weapon to control their victims. As part of their plan, they encourage the woman to use alcohol or target a woman who is already drunk.

⁴ The false-report rate of rape is the same rate for other kinds of felonies. In fact, most sexual assaults are not reported to the police. Fewer than 5 percent of college women who are victims of rape or attempted rape report it to police (Fisher, Cullen & Turner, 2000). For victims, the criminal justice system can be so taxing, expensive and traumatic, it is likely that few would go through this process in order to “get revenge.” More people fake their own death than falsely report rape.

Underreporting of Sexual Assault

Fewer than 5 percent of college women who are victims of rape or attempted rape report it to police.¹

Sexual assault victims offer a range of reasons for not reporting the rape to authorities:

- ▲ Do not immediately label the incident as rape
- ▲ Embarrassment and shame
- ▲ Fear of publicity
- ▲ Fear of reprisal from assailant
- ▲ Fear of social isolation from the assailant’s friends
- ▲ Fear that the police will not believe them
- ▲ Fear that the prosecutor will not believe them or will not bring charges
- ▲ Self-blame for drinking or using drugs before rape
- ▲ Self-blame for being alone with assailant
- ▲ Fear that their family will find out

¹ Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*.

Underreporting by campus sexual assault victims stems from a combination of individual, institutional and socio-cultural factors.

While stranger-rape myths have been largely eradicated throughout society, acquaintance rape myths are still prevalent in society and the campus community. Student victims of rape by someone they know fear that people will hold them responsible for their own criminal victimization – and are far less likely to report their victimization to campus or criminal authorities than victims raped by a stranger on their campus.

When a college student who is the victim of sexual assault names their experience “rape,” she is often naming a classmate or friend a “rapist.” Such labeling requires a radical redefinition of their previous relationship. Avoiding this process is one reason student sexual assault victims neither name nor report the crime they suffered.

Colleges and universities often unintentionally condone victim-blaming when they circulate materials that focus primarily on women’s responsibility to avoid sexual assault without balancing this information with prevention education targeted toward men that stresses the perpetrator’s responsibility for committing the crime.

POLICIES AND PRACTICES THAT AID IN REPORTING BY VICTIMS

- Provisions for confidential reporting
- Provisions for anonymous reporting
- Written law enforcement protocols for responding to reports
- Coordinated crisis response across campus and community
- Forensic medical evidence collection by sexual assault nurse examiners (SANEs)
- On-campus victim assistance services office
- Sexual assault peer educators
- First-year and new student orientation programs

Because barriers to reporting exist at many levels, a single policy or approach is inadequate. The optimum approach to encourage reporting would be to combine a number of strategies, including making campus staff more responsive to reports of sexual assault and offering prevention education for the general student population as well as for specific groups. In a U.S. Department of Justice study entitled, “Sexual Assault on Campus: What Colleges and Universities Are Doing About It,” Congress asked what policies aid in encouraging reporting. In response, researchers interviewed administrators and found: services for victims, written law enforcement response protocols, coordination between campus and community, new student orientations and campus-wide publicity about past crimes facilitate reporting.

- Administrators at almost 90 percent of the schools studied believe that prevention programs targeting athletes and students in the Greek system encourage reporting.
- As noted earlier, most administrators believe that a policy allowing confidential and anonymous reporting encourages both victims and other students to report assaults.
- Most administrators consider sexual assault peer educators to be conducive to reporting, but only about one in five schools offer this type of program.

Any policy or procedure that compromises or worse, eliminates the student victim’s ability to make her or his own informed choices about proceeding through the reporting and adjudication process—such as mandatory reporting requirements that do not include an anonymous reporting option or require the victim to participate in the adjudication process if the report is filed—not only reduces reporting rates but may be counterproductive to the victim’s healing process.

THE LINK BETWEEN ALCOHOL AND SEXUAL ASSAULT

At least 50 percent of college students' sexual assaults are associated with alcohol use.¹

In 81 percent of the alcohol-related sexual assaults, both the victim and the perpetrator had consumed alcohol.¹

¹Abbey, A. (2002). Alcohol-Related Sexual Assault: A Common Problem among College Students.

THE LINK BETWEEN ALCOHOL AND SEXUAL ASSAULT

Alcohol as a Weapon

Why Alcohol?

- Ubiquitous
- Socially Acceptable
- Consensually Used by Victim
- Expectation About Alcohol's Effect
- Beliefs About Women Who Drink
- Alcohol's Effect on Women's Ability to React to Risk

Alcohol as a Weapon

Many perpetrators use alcohol as a weapon to commit sexual assault. Sexual assault is not about sex; it is about power and control. Alcohol is used to facilitate dominance over the victim. Offenders often ply women with alcohol or target an already intoxicated woman. Unfortunately, this is often true in fraternities and other male-centered organizations. "Candy is dandy, but liquor is quicker" is a familiar refrain that is often used on campuses to describe this form of coercion (Nash, 2007).

Why Alcohol?

Ubiquitous

Surveys of drinking patterns show that college students are more likely than their age-counterparts who are not in college to consume alcohol, to drink heavily and to engage in heavy episodic drinking. Studies show that one-third of American colleges have a majority of students who engage in high-risk drinking.

According to a Harvard School of Public Health College Alcohol Study, 63 percent of underage students reported drinking in the past 30 days and, though they drink less frequently, they drink more per occasion than of-age students. Many of the underage students surveyed said they obtained the alcohol at fraternity parties or parties held by campus groups that charge an admission fee entitling guests to unlimited drinks.

Socially Acceptable

Alcohol consumption on many campuses has evolved into a rite of passage. Traditions and beliefs handed down through generations of college drinkers serve to reinforce students' expectations that alcohol is a necessary component of social success. Certain campus characteristics also reinforce the culture of college drinking. Rates of excessive alcohol use are highest at colleges and universities where Greek systems (i.e., fraternities and sororities) dominate and at those where sports teams have a prominent role.

Many students use alcohol to relax, "blow off steam" and/or fit in with peers. However, alcohol is often used as an excuse for acting out and perpetrators know this. When it comes to sexual assault, alcohol is used by perpetrators as a permission slip. Perpetrators know that many people hold men less responsible for an assault if they were drunk, i.e. "He was drunk. He didn't know what he was doing." They hold women more responsible for an assault if they had been drinking prior to the assault, i.e., "She was drinking all night. What did she expect? "

Consensually Used by Victim

In 81 percent of the alcohol-related sexual assaults, both the victim and the perpetrator had consumed alcohol (Abbey, 2002). In what other crime is the weapon used to commit the crime also used by the victim?

Expectations about Alcohol's Effect

Alcohol is commonly viewed as an aphrodisiac that increases sexual desire and capacity. Expectations have a power of their own. When people expect a certain outcome, they tend to act in ways that enhance the likelihood that the outcome will occur. Alcohol reduces motor function and has also been shown to reduce a person's ability to analyze complex social situations appropriately (Sampson, 2002). This may lead the victim or perpetrator to ignore or misunderstand typical sexual cues (Sampson, 2002).

The beliefs and expectations some men may hold about alcohol may predispose them to act sexually and aggressively after drinking. In other words, it becomes a self-fulfilling prophecy. For example, if a man starts out the evening thinking, "I'm going to have sex tonight," drinking alcohol may allow him to interpret a woman's behavior in a way that fits his original hypothesis, ignoring cues that she is not interested. Men with these expectations may feel more comfortable forcing sex when they are drinking because they can later justify to themselves (and others) that the alcohol made them act inappropriately.

Beliefs about Women Who Drink

Women who drink alcohol are frequently perceived as being more sexually available and sexually promiscuous than women who do not drink alcohol.

Women who were drunk when raped are often viewed by others as partially responsible for what happened. Due to gender roles in our society, women are expected to set limits on sexual activities and are often held responsible when men overstep them.

It is no wonder, then, that many women feel that sexual assault is their fault – especially if they had been drinking prior to the assault. While perpetrators often use alcohol to excuse sexual assault, it has been suggested that a large percent of college-age rape victims blame themselves entirely for the attack because they were using drugs or alcohol (Sampson, 2002; Schwartz & Leggett, 1999).

Alcohol's Effect on Women's Ability to Assess and React to Risk

Drinking may keep a woman from noticing a man's attempts to get her into an isolated location or his encouragement for her to drink even more. Alcohol's effects on motor skills may limit a woman's ability to resist sexual assault effectively – verbally and physically. Researchers have found that sexual assault victims who reported being at least somewhat drunk were less likely to use physical resistance strategies than victims who were not drunk.

Activity2: The Undetected Rapist

IMMEDIATE AND LONG-TERM EFFECTS OF SEXUAL ASSAULT

Shock and disbelief

Recurring thoughts

Memories, nightmares, flashbacks

Self-blame and shame

Fears about safety

Psychological disorders

Other effects may include:

Depression

Social withdrawal

Numbing/apathy (detachment, loss of caring)

Reduced ability to express emotions

Difficulty concentrating

Diminished interest in activities or sex

Promiscuity

Impaired memory

Loss of appetite and eating disorders

Thoughts of suicide and death

Substance abuse

Dropping out of school

Difficulty holding down a job

It is normal for survivors to experience a range of feelings after a sexual assault and all survivors will react to the incident in their own way. One survivor may feel intense anger and even have feelings of revenge, while another may feel numb.

Shock and disbelief

Immediately after the assault most victims are in a state of shock. Some will act as if nothing has happened, trying to make life seem normal. Others find themselves in a daze, having difficulty focusing or getting mobilized.

Recurring thoughts

There may also be periods when survivors are preoccupied with thoughts and feelings about the assault. They may have unwanted memories, flashbacks or nightmares. When they think about what happened, they may re-experience some of the sensations and feelings they had during the assault, such as fear and powerlessness.

Self-blame and shame

They may feel that the assault was their fault or that they could have done something to prevent it. They may feel guilty, ashamed and vulnerable in ways they have never experienced before.

Fears about safety

They may have trouble trusting other people. Sexual intimacy may be difficult if it brings painful memories or a fear of losing control. Survivors may feel alone in their experience and that no one can understand.

Psychological disorders

The chances that a victim will develop post-traumatic stress disorder (PTSD) after an assault are between 50 and 95 percent (Population Information Program, 2000).

All of these feelings and reactions are normal responses to sexual assault. It is also common for some feelings to resurface or new ones to emerge later on in a survivor's life. Periods of stress, new intimate relationships, the anniversary of the incident or situations such as seeing the perpetrator or testifying in court can trigger intense feelings.

Activity 3: Sexual Violence Spectrum

Are we doing as much as we possibly can to reduce the number of acquaintance rapes on our campus?

CAMPUS-BASED SEXUAL ASSAULT PROGRAMS

- 1) Educate students, faculty and staff about sexual violence.**
- 2) Prevent sexual assaults involving members of the campus community.**
- 3) Provide an appropriate response when sexual assaults occur.**

Campus-based sexual assault programs should have three goals: to educate students, faculty and staff about sexual violence; to prevent sexual assaults involving members of the campus community; and to provide an appropriate response when sexual assaults occur.

These goals can be achieved when colleges implement effective policies, protocols, service delivery systems, security measures and educational activities.

ELEMENTS OF AN EFFECTIVE PROGRAM

Official Policy Statement

- Prevalence
- Circumstances
- What to do
- Sanctions
- Campus resources
- Prevention strategies
- Encourage reporting

Student Conduct Code

- Definition of sexual misconduct
- Rights and protections

Protocol for Managing Reported Cases

- Action plan

Comprehensive Services for Victims

- Medical, legal, psychological, advocacy
- Campus-based and community resources

Educational Programs

- Tailor programs to all members of campus the community
- Required participation

Campus-wide Collaboration

- Heads of departments

Firm Penalties

- Send a message
- Most perpetrators are repeat offenders

Adequate Levels of Support

- Provide funding, space, staffing

On-going Assessment

- Regular evaluations of policies, procedures and programs

A comprehensive campus program for responding to the problem of sexual assault includes the following nine components:

Official Policy Statement: Develop and distribute an official, written policy statement regarding sexual misconduct. Include information about the prevalence of sexual assault, the circumstances in which it commonly occurs, what to do if it happens, university sanctions, campus resources and prevention strategies. The policy should strongly encourage victims to report these incidents.

Clear Student Conduct Code Provisions: Ensure that the college or university's conduct code specifically addresses the problem of sexual assault. Code provisions should include a strong prohibition against sexual misconduct, a clear definition of the school's jurisdiction in these cases and a listing of the rights and protections the school affords both victims and accused students.

Protocol for Managing Reported Cases: Formulate a written "action plan" that outlines how the school will respond when incidents of sexual misconduct are reported, including who will be notified, what procedures will be implemented and how the rights of victims and accused students will be protected. Formalized procedures help ensure that victims receive the support and services they need, as well as facilitate compliance with school policies and legal mandates.

Comprehensive Services for Victims: Establish a coordinated network of services to ensure that victims have access to the range of medical, legal, psychological, safety, advocacy and other support services they need. Campus-based and/or community resources should be utilized.

Educational Programs: Institute comprehensive educational programs that reach all members of the campus community. Tailor programs to students; Greek organizations; athletes; residence hall advisors; faculty and staff; and medical, legal, psychological and safety personnel. It is particularly important for high level administrators to help the program gain access to residence halls, fraternities and sororities, athletic teams, incoming students during orientation and classrooms. The administration should mandate student participation. Only required participation ensures that every student will be exposed to sexual assault programming at least once.

Campus-wide Collaboration: To be effective, a sexual assault prevention program needs the active cooperation of all sectors of the school, from the athletic department to campus security to health services. Heads of some of these departments may be reluctant to join the effort. High level administrators can be influential in assuring that all mid-level administrators are involved in the prevention program. High level administrators may want to advocate that active participation in the programs be used as one measure in an individual's performance evaluation.

Firm Penalties for Acquaintance Rape: Establish policies that make sexual assault a behavior that will not be tolerated and will be punished sternly. When school administrators fail to punish offenders, they perpetuate dangerous attitudes about rape – in particular, that drinking and sex go together; that forcing a woman to have sex is acceptable; and that the school does not care about the problem. Suspending or expelling students who commit sexual assault can be especially

effective in reducing the problem because a student who commits one sexual assault is likely to commit others. Most college rapists will rape again (Lisak and Miller, 2002).

Adequate Levels of Material Support for Prevention: High level administrators need to show support by providing adequate levels of funding, space, staffing and other assistance to the prevention program. Administrators, who believe in a program, provide for it. Administrators can also demonstrate support for the program by ensuring that it is housed administratively in a school department or division that will give it extra credibility and access to sources of assistance.

Ongoing Assessment of Policies, Procedures and Programs: Conduct regular and timely evaluations of all campus sexual assault policies and programs.

WAYS TO PROVIDE PROGRAM SUPPORT:

- Reassign staff
- Funding sources outside the school
- Establish a program endowment
- Student service fees
- Fines

Reassign staff: Reassign existing staff to the program or spend the monies budgeted for an unfilled staff position on the acquaintance rape program.

Funding sources outside the school: Assign someone to help the program identify potential sources of funding outside the school, including the federal government and funders concerned about alcohol and substance abuse.

Establish a program endowment: Assist in establishing a program endowment and help to secure gifts from alumni and parents.

Student service fees: Arrange for a portion of student service fees, student health fees, parking fees or charges for registering on-campus parties to be used to underwrite the program.

Fines: Arrange for fines assessed against students who violate college drinking rules to be directed to the sexual assault program.

CREATION OF A SEXUAL ASSAULT RESPONSE TEAM (SART)

SARTs are created to provide emergency and follow-up services to victims of sexual assault within the college community.

Health service

medical treatment and/or referrals

College and/or community police (if police are sworn officers)

investigation

Counseling and student development

counseling

Resident life staff

referrals

Student judicial office

sexual assault policy

disciplinary hearing

On-campus or affiliated off-campus rape crisis center

counseling and advocacy

We recommend that your college creates a Sexual Assault Response Team (SART) and participate on the SART in your community. SARTs can be created to provide emergency and follow-up services to victims of sexual assault within the college community. All such services are confidential.

The SART membership should include but not be limited to the following:

Health Service: Provides medical treatment and/or referral to community hospital as necessary and medical follow-up as needed.

College and/or Community Police (if police are sworn officers): Provide investigation of reported incidents of sexual assault allegations by interviewing the victim and collecting on-site evidence; conduct follow-up investigation for possible prosecution.

Counseling and Student Development: Provides face-to-face counseling and follow-up support for the victim; support during the medical examination and any police investigation; and support and counseling for secondary victims, such as friends and relatives of sexual assault victims.

Resident Life Staff: Provide victims with referrals for medical treatment and counseling and referrals to law enforcement, rape crisis centers and student judicial offices; assist students in arranging for temporary or permanent housing assignment change to reduce likelihood of contact between the victim and alleged perpetrator.

Student Judicial Office: Provides administrative review of the campus sexual assault policy including the zero tolerance policy on the possession of illegal drugs used to commit rape; when appropriate, issues a temporary sanction to assure victim's safety; provides for a disciplinary hearing for alleged perpetrator.

On-Campus or Affiliated Off-Campus Rape Crisis Center: Provides 24-hour access to counselor/advocates for crisis intervention; in-person and/or telephone counseling and follow-up support for victims and secondary victims; support during medical examination, any police investigation and legal proceedings; and referral services.

The following slides and accompanying notes are provided in the event you and/or your workshop participants want more detailed information on the Jeanne Clery Act and the Victims' Bill of Rights.

Federal Laws on Campus Crime

Jeanne Clery Act

Tied to participation in federal student financial aid programs

Annual Report

Crime Statistics

Sex offenses – forcible

Forcible rape

Forcible sodomy

Sexual assault with an object

Forcible Fondling

Sex offenses – non-forcible

Access to Timely Information

Public Crime Log

Statement of Policy

Must be provided to students, employees and prospective students and parents.

Schools that fail to comply can be fined by the Department of Education.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act requires that schools annually disclose information about crime, including specific sexual crime categories, in and around campus to college students, campus employees, prospective students and their parents. Schools are also required to report these statistics to the U.S. Department of Education and make them available to the general public. In addition, the act requires that each college and university disclose its policies and procedures for intervention and discipline for these major crimes as well as for educational programming to help reduce the risk of college students becoming victims.

The Clery Act is named after Jeanne Ann Clery, a freshman at Lehigh University, who was raped and strangled in her dormitory by another student. After the murder trial of Clery's assailant and the civil suit against the university in which Lehigh was found responsible for negligence, failure to protect and failure to warn, the Clery family founded Security on Campus, Inc. in 1989, a non-profit organization dedicated to improving safety and security on America's college campuses.

Annual Report: Schools have to publish an annual report that contains three years' worth of campus crime statistics. The report is to be made available automatically to all current students and employees while prospective students and employees are to be notified of its existence and afforded an opportunity to request a copy.

Crime Statistics: Each school must disclose crime statistics for the campus, unobstructed public areas immediately adjacent to or running through the campus and certain non-campus facilities including Greek housing and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement and other school officials who have "significant responsibility for student and campus activities" such as student judicial affairs directors.

Access to Timely Information: Schools are also required to provide "timely warnings" and a separate more extensive public crime log. It is these requirements which are most likely to affect the day-to-day lives of students. The timely warning requirement is triggered when the school considers a crime to pose an ongoing "threat to students and employees." The log records all incidents reported to the campus police or security department.

Public Crime Log: Each institution with a police or security department must have a public crime log. Schools are required to disclose in the public crime log "any crime that occurred on campus...or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department."

The log must be publicly available during normal business hours. This means that in addition to students and employees, the general public, such as parents or members of the local press, may access it.

Statement of Policy: The act requires a statement of policy regarding campus sexual assault program to prevent sex offenses and procedures to follow when a sex offense occurs. The statement must include:

- Description of educational programs to promote the awareness of rape, acquaintance rape and other forcible and non-forcible sex offenses
- Procedures students should follow if a sex offense occurs
- Information on the student's option to notify proper law enforcement officials (including on campus and local police)
- Notification of existing on- and off-campus counseling, mental health or other student services for victims of sex offenses
- Notification that an institution will change the victim's academic and living situations if changes are requested and are reasonably available
- Procedures for campus disciplinary procedures in cases of an alleged sex offense

FEDERAL LAWS ON CAMPUS CRIME

Victims' Bill of Rights

- Accuser and accused must have the same opportunity to have others present.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be informed of their options to notify law enforcement.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations.

The United States Congress enacted the "Campus Sexual Assault Victims' Bill of Rights" (also known as the "Ramstad Act") in 1992. The law requires that all colleges and universities (both public and private) participating in federal student aid programs afford sexual assault victims certain basic rights.

The law was developed to combat the re-victimization of rape survivors at college campuses across the country who found that many image-conscious schools were more concerned about protecting their image than seeing justice done.

This bill of rights is now part of campus security reporting requirements of the Clery Act.

Federal Laws on Discrimination in Education

Title IX of the Education Amendment of 1972

The 2011 "Dear Colleague Letter" from the U.S. Department of Education "reminds" schools of their obligation under Title IX to respond to sexual harassment and that sexual assault is included in Title IX's definition of sexual harassment.¹

- Immediate and appropriate action to investigate or otherwise determine what occurred.
- Prompt and effective steps to end the sexual violence, prevent its recurrence and address its effects, whether or not it is the subject of a criminal investigation.
- Protection of complainant as necessary.
- Provision of a grievance procedure for students to file complaints, which give equal opportunity for both parties to present evidence and the same appeal rights.
- Grievance procedures must use the preponderance of the evidence standard to resolve complaints of sex discrimination.
- Notify both parties of the outcome of the complaint.

In 2011, the U.S. Department of Education reminded schools in a "Dear Colleague Letter" (DCL) that they are required by Title IX of the Education Amendment of 1972 to take certain steps to respond to sexual harassment. Included in Title IX's definition of sexual harassment are rape, sexual assault, sexual battery and sexual coercion—these acts are the focus of the DCL. No new obligations for schools under Title IX are required; instead, the DCL is meant to clarify responsibilities under this act and help schools protect students and avoid liability (Burzunis & Newhall, 2011).

Schools' Obligations under Title IX Regarding Sexual Violence

- Once a school knows or reasonably should know of possible sexual violence, it must take *immediate and appropriate action to investigate or otherwise determine what occurred*. If sexual violence has occurred, a school must take *prompt and effective steps to end the sexual violence, prevent its recurrence and address its effects, whether or not it is the subject of a criminal investigation*.
- A school must take steps to *protect the complainant as necessary*, including interim steps taken prior to the final outcome of the investigation.
- A school *must provide a grievance procedure for students to file complaints* of sex discrimination, including complaints of sexual violence. These procedures must include an *equal opportunity for both parties to present evidence and the same appeal rights*.
- A school's *grievance procedures must use the preponderance of the evidence standard* to resolve complaints of sex discrimination.
- A school must *notify both parties of the outcome of the complaint*.

¹The 19-page DCL issued by the U.S. Department of Education, Office for Civil Rights on 4/4/11 is available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf>. The above information is from the *Sexual Violence DCL Fact Sheet* at <http://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201104.pdf> and directly from the DCL.

Activity 4: Developing and Action Plan

D.4. WORKSHOP ACTIVITIES FOR COLLEGE ADMINISTRATORS & CAMPUS JUDICIAL AFFAIRS

ACTIVITY 1: MR. SMITH'S TRIAL

The law often discriminates against rape victims in a manner that would not be tolerated by victims of any other crime. In the following example, a holdup victim is asked questions similar to those usually asked of a survivor of rape.

Supplies: Mr. Smith's Trial handout

Directions:

- 1) Ask for two volunteers to participate in a scripted dialogue between Mr. Smith and the prosecutor.
- 2) Place one chair in the front of the class for Mr. Smith. The prosecutor can move around the "stage" area as he/she feels comfortable.
- 3) Provide volunteers with a copy of the Mr. Smith's Trial handout, assign roles and ask them to read the script aloud. Highlight their scripts.
- 4) Use the following discussion questions to stimulate a dialogue about rape myths and the treatment of sexual assault victims.

Discussion Questions:

- 1) This scenario illustrated that victims of sexual assault are often treated differently than victims of other crimes. What differences were evident in this scenario?
- 2) What rape myths did this dialogue highlight?
- 3) How might the myth of "real rape" affect victims of acquaintance rape?
- 4) In this scenario, the victim was held up at gun point. But most sexual assaults do not involve weapons. Why do you think most sexual assaults on campus are not physically violent?

MR. SMITH'S TRIAL

Prosecutor: Mr. Smith, were you held up on the corner of Mayfield and Campus?

Mr. Smith: Yes.

Prosecutor: Did you struggle with the robber?

Mr. Smith: No.

Prosecutor: Why not?

Mr. Smith: He was armed.

Prosecutor: Then you made a conscious decision to comply with his demands rather than to resist?

Mr. Smith: Yes.

Prosecutor: Did you scream? Cry out?

Mr. Smith: No. I was afraid.

Prosecutor: I see. Have you ever been held up before?

Mr. Smith: No.

Prosecutor: Have you ever given money away?

Mr. Smith: Yes, of course...

Prosecutor: And did you do so willingly?

Mr. Smith: What are you getting at?

Prosecutor: Well, let's put it like this, Mr. Smith. You've given money away in the past in fact, you have quite a reputation of philanthropy. How can we be sure that you weren't contriving to have the money taken from you by force?

Mr. Smith: Listen, if I wanted...

Prosecutor: Never mind. What time did this holdup take place, Mr. Smith?

Mr. Smith: About 11 pm.

Prosecutor: You were out on the streets at 11 pm? Doing what?

Mr. Smith: Just walking.

Prosecutor: Just walking? You know that it's dangerous being out on the streets that late at night. What were you wearing at the time, Mr. Smith?

Mr. Smith: Let's see. A suit. Yes, a suit.

Prosecutor: An expensive suit?

Mr. Smith: Well, yes.

Prosecutor: In other words, Mr. Smith, you were walking around the streets late at night in a suit that practically advertised the fact that you might be a good target for some easy money, isn't that so? I mean, if we didn't know better, we might think that you were asking for this to happen, mightn't we?

ACTIVITY 2: THE UNDETECTED RAPIST:

[SEE SECTION 3.D FOR ACTIVITY MATERIALS](#)

ACTIVITY 3: SEXUAL VIOLENCE SPECTRUM:

[SEE SECTION 3.E FOR ACTIVITY MATERIALS](#)

ACTIVITY 4: DEVELOPING AN ACTION PLAN

Supplies: “Developing an Action Plan” worksheet
Pencils

Directions:

- 1) Assign participants to groups of 3-5.
- 2) Hand each participant the “Developing an Action Plan” worksheet. Participants work with members of their group to complete the worksheet, identifying potential allies, needed resources and possible funding sources.
- 3) After all participants have completed the worksheet, ask volunteers from each group to share their group’s answers with the rest of the class.

DEVELOPING AN ACTION PLAN

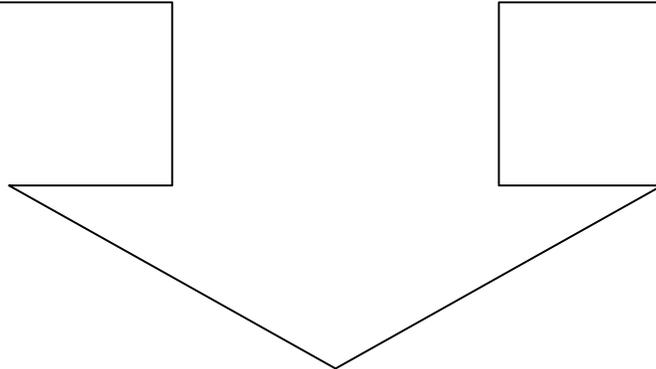
Identify Like-Minded People

List all departments/positions on campus that have a stake in sexual assault prevention.

_____	_____
_____	_____
_____	_____
_____	_____

List all organizations/officials/institutions in the community that have a stake in sexual assault prevention.

_____	_____
_____	_____
_____	_____
_____	_____



Form a Planning Committee

List the names of people you would like to be part of the Planning Committee.

_____	_____
_____	_____
_____	_____
_____	_____

Identify Needed Resources

Decide what staff, money, materials will be needed to implement/expand the sexual assault prevention program.

_____	_____
_____	_____
_____	_____
_____	_____

Identify Funding Sources

List 5 possible sources of funding.

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

D.5. ADDITIONAL MATERIALS FOR COLLEGE ADMINISTRATORS AND CAMPUS JUDICIAL AFFAIRS

1. Sample Sexual Assault and Sexual Misconduct Policy
2. Creation of a Sexual Assault Response Team (SART)
 3. Checklist on Policy
 4. Checklist on Enforcement
 5. Checklist on Education and Prevention
 6. Checklist on Treatment and Support
7. Sample Sexual Assault Incident Report Form

SAMPLE SEXUAL ASSAULT AND SEXUAL MISCONDUCT POLICY

Statement of Institutional Philosophy

[Name of college or university] is committed to creating and maintaining a community in which all persons who participate in University programs and activities can work together in an atmosphere free of all forms of harassment, assault, exploitation or intimidation, including that which is sexual in nature. Every member of the University community should be aware that the University does not tolerate sexual assault or sexual misconduct. Sexual assault is also prohibited both by state and federal law. It is the intention of the University to take prompt and equitable action to prevent the reoccurrence of behaviors that violate this policy.

Scope of Policy

This policy applies to faculty, staff, other employees and agents, students and organizations receiving [name of college or university] funding or that use the [name of college or university] name or facilities.

An individual who believes that he/she has been sexually assaulted is encouraged to pursue criminal charges in addition to filing a complaint with the University. Both criminal charges and University complaints will proceed independently. University procedures and sanctions can be implemented regardless of when or if criminal charges are initiated or substantiated. The University is committed to and required by law, to take action if it learns of an alleged sexual assault and/or sexual misconduct, even if the aggrieved employee or student does not wish to file a complaint.

Statement of Prohibited Conduct

[Name of college or university] Definition of Sexual Assault

Any sexual intercourse or penetration/intrusion forced on another person without his or her consent is considered sexual assault. Sexual assault may include a sexual act carried out under coercion, with the threat of force or by using or employing a weapon, through a position of authority or when the victim/survivor is mentally incapacitated or physically helpless including by reason of drug or alcohol consumption, sleep or unconsciousness.

[Name of college or university] Definition of Sexual Misconduct

Sexual misconduct includes any uninvited or unwelcome sexual touching or sexual contact that is not included in [name of college or university] definition of sexual assault. This includes physical contact with a person's genital area, other bodily orifices or with a person's buttocks or breasts *if the sexual contact or sexual touching is done without the person's consent*. Sexual misconduct may include sexual contact carried out under coercion, with the threat of force or by using or employing a weapon, through a position of authority or when the victim/survivor is mentally incapacitated or physically helpless including by reason of drug or alcohol consumption, sleep or unconsciousness.

[Name of college or university] Definition of a Sexual Act

A sexual act is conduct between persons consisting of contact between the penis and the vulva, the penis and the anus, the mouth and the penis, the mouth and the vulva or any intrusion, however slight, by any part of a person's body or any object into the genital or anal opening of another.

[Name of college or university] Definition of Consent

Consent for sexual activity is clear indication, either through verbal or physical actions, that parties are willing and active participants in the sexual activity. Such authorization must be free of force, threat, intimidation or coercion and must be given actively and knowingly in a state of mind that is conscious and rational and not compromised by alcohol or drug incapacitation.

Conduct may be considered sexual assault and/or sexual misconduct even if:

- The respondent is someone known by the complainant
- The assault and/or sexual misconduct happens on a date
- Either or both individuals have engaged in sexual touching and kissing prior to the assault or misconduct
- Either or both individuals have engaged in consensual sexual activity in the past
- Either or both individuals are under the influence of alcohol or other drugs
- There was no weapon involved
- There was no evidence of a struggle or resistance
- There were no other witnesses

Immediate Responses to Sexual Assault and/or Misconduct

The University recognizes that any decision to report a sexual assault and/or sexual misconduct to the police is the right of the victim/complainant. However, once an incident or complaint of sexual assault and/or sexual misconduct is reported to the [position responsible for handling sexual assault/misconduct reports], he or she will inform the victim/complainant of the options of criminal prosecution, medical assistance, support services and use of this policy to file a complaint or report a sexual assault and/or sexual misconduct. The [position responsible for handling sexual assault/misconduct reports] will assist the victim/complainant with these contacts if requested. In addition, confidential counseling, support services, academic assistance, future security and alternative housing (for students) can be coordinated as appropriate.

Whether or not a victim chooses to initiate criminal charges, he/she retains the right to file a complaint through the student judicial system or employee grievance process.

Rights of the Complainant

Individuals pursuing a complaint of sexual assault and/or sexual misconduct who report their experience to University officials can anticipate that:

- All reports of sexual assault and/or sexual misconduct will be treated seriously.
- Complainants will be treated with confidentiality, sensitivity, dignity and respect and in a non-judgmental manner.
- Complainants may invite a support person to accompany them through all parts of the University's complaint resolution procedures.
- Complainants will be afforded the opportunity to request immediate on-campus housing relocation (for students), transfer of classes or other steps to prevent unnecessary or unwanted contact or proximity to a respondent when possible.
- The unrelated sexual history of the complainant is not considered relevant to the truth of the allegation; therefore, information regarding sexual history external to the relationship between the complainant and the respondent will not be considered in complaint resolution procedures.
- Complainants may make a "victim/survivor impact statement" and suggest appropriate sanctions if the respondent is found in violation of the policy.

Rights of the Respondent

An individual accused of sexual assault and/or sexual misconduct that is reported to University officials can anticipate that:

- All reports of sexual assault and/or sexual misconduct will be treated seriously.
- The respondent will be treated with confidentiality, sensitivity, dignity, respect and in a non-judgmental manner.
- The respondent may invite a support person to accompany him or her through all parts of University complaint resolution procedures.
- The unrelated sexual history of the respondent is not considered relevant to the truth of the allegation; therefore, information regarding sexual history external to the relationship between the complainant and the respondent will not be considered in complaint resolution procedures.

For additional information on campus policies, please see *The West Virginia Sexual Violence Prevention Toolkit: A Guide for College Campuses* available at www.fris.org.

CREATION OF A SEXUAL ASSAULT RESPONSE TEAM (SART)

We recommend that your college/university create a Sexual Assault Response Team (SART) and participate in the local community SART. SARTs can be created to provide emergency and follow-up services to victims of sexual assault within the college community. All such services are confidential.

Sexual Assault Response Team (SART) Coordinator refers to the person designated by a campus as being responsible for reviewing and filing the Sexual Assault Incident Reports, as well as being trained and available to provide support and assistance to a victim. He/she will also be able to advise others on the campus policies and procedures for incidents involving sexual assault. The SART Coordinator is responsible for organizing appropriate university/college staff and collaborating with community based sexual assault services to address such incidents when necessary.

The SART membership should include but not be limited to the following:

Health Service – Provides medical treatment and/or referral to community hospital as necessary and medical follow-up as needed.

College and/or Community Police (if police are sworn officers) – Provide investigation of reported incidents of sexual assault allegations by interviewing the victim and collecting on-site evidence; conduct follow-up investigation for possible prosecution.

Counseling and Student Development – Provides face-to-face counseling and follow-up support for the victim; support during the medical examination and any police investigation; and support and counseling for secondary victims, such as friends and relatives of sexual assault victims.

Resident Life Staff – Provide victims with referrals for medical treatment and counseling and referrals to law enforcement, rape crisis centers and student judicial offices; assist students in arranging for temporary or permanent housing assignment change to reduce likelihood of contact between victim and alleged perpetrator.

Student Judicial Office – Provides administrative review of the campus sexual assault policy including the zero tolerance policy on the possession of illegal drugs used to facilitate sexual assault; when appropriate, issues a temporary sanction to assure victim's safety; provides for a disciplinary hearing for alleged perpetrator.

On-Campus or Affiliated Off-Campus Rape Crisis Center – Provides 24-hour access to counselor/advocates for crisis intervention; in-person and/or telephone counseling and follow-up support for victims and secondary victims; support during a forensic medical examination, any police investigation and legal proceedings; and referral services.

Each SART member (where confidentiality allows) shall complete a Sexual Assault Incident Report (see sample), which provides college officials with immediate information about an allegation or incident involving sexual assault within the college community. The Sexual Assault Incident Report must be completed in a manner that would not compromise the privacy of the victim. The completed report forms shall be forwarded to the designated campus official (SART Coordinator, Title IX Coordinator) for review and file maintenance purposes. The information from these forms may be shared in general with other SART members for planning/team coordination purposes as confidentiality permits. The college has the option of appropriately using some of the data gathered from these forms for government reporting requirements. In these cases, the data is used to determine prevalence and confidentiality is always respected.

This SART guideline stresses that college personnel (faculty, staff or athletic instructors) other than SART members who receive a report of a sexual assault allegation are expected to refer victims of sexual assault to the designated campus official (e.g., Title IX Coordinator, SART Coordinator), who will then inform the victim of available support services and law enforcement procedures. If the allegation warrants a mandatory report (e.g., if the victim is a minor), then in addition to notifying the designated campus official the person receiving the report is required to have a reporting protocol to ensure the safety of the victim and the safety of other students.

Checklist on Policy

This is a model checklist intended for campus administrators to use in evaluating their current campus policies and determining if the following have been incorporated into their sexual assault policies.

- Does the campus have policies that are in compliance with the Federal Campus Security Act?
- Does the campus have a “zero tolerance” policy for the use, possession, administration and sale of illegal drugs used for sedation?
- Does the campus have a comprehensive sexual assault policy?
- Does the policy clearly define prohibited behavior (including sexual assault and stalking) and the institution’s expectations, rules and sanctions?
- Is the policy consistent with state and local laws?
- Does it address behavior of all students, faculty and staff?
- Does it address behavior of individuals and groups such as fraternities, sororities, athletic groups and military organizations?
- Does it address the rights of the victim?
- Does it address the rights of the accused?
- Were students, faculty and staff involved in developing the policy?
- Do the president and campus administration openly support the institution’s sexual assault policy and “zero tolerance” drug policy?
- Is the policy reviewed annually by the Dean of Students/Chief Student Affairs Officer/SART Coordinator/Title IX Coordinator to incorporate changes in recommended practices, new legislation and legal precedents?
- Is the option of contacting community law enforcement included?
- Is the option of contacting community-based rape crisis services offered?

Checklist on Enforcement

This is a model checklist intended for campus administrators to use in evaluating their current campus policies and determining if the following have been incorporated into their sexual assault policies.

- Does the campus have policies that are in compliance with the Federal Campus Security Act? For instance, does the campus have compliant policies regarding:
 - A procedure for collecting campus crime statistics?
 - The preparation of an annual security report?
- Are there guidelines for receiving reports of sexual assault violations?
- Are these guidelines in campus publications for students, faculty and staff?
- Are the campus sexual assault and “zero tolerance” policies enforced with consistency and timeliness?
- Is reporting encouraged?
- Is confidentiality maintained?
- Is there a third-party reporting procedure in place?
- Are appropriate sanctions applied to perpetrators?
- Are there guidelines for an emergency response to a media inquiry? (The President, Chief Student Affairs Officer, SART and Public Affairs need to review the allegation(s) and designate a campus spokesperson. The designee may/may not be a representative of Public Affairs.)
- Are the Sexual Assault Response Team (SART) members identified in the guidelines?

Checklist on Education and Prevention

This is a model checklist intended for campus administrators to use in evaluating their current campus policies and determining if the following have been incorporated into their sexual assault policies.

- Is funding adequate for education and prevention programs on sexual assault, drug use and drug-facilitated sexual assault?
- Is a specific office responsible for education and prevention programs?
- Is educational programming coordinated?
- Are education and prevention programs offered to students, faculty and staff?
- Are education and prevention programs offered:
 - At orientation?
 - In residence halls?
 - In the student union?
 - In classrooms?
 - In academic courses?
 - For student organizations?
 - At faculty and staff meetings?
- Are peers involved in educational programs?
- Are campus student organizations included in educational programming?
- Is the community involved in educational programs?
- Has the local rape crisis center been asked to assist in program planning?

Checklist on Treatment and Support

This is a model checklist intended for campus administrators to use in evaluating their current campus policies and to determine if the following have been incorporated into their sexual assault policies.

- Are programs and printed information about crisis intervention, medical treatment and counseling and support available to students, faculty and staff?
- Are members of the campus community trained to respond to disclosures of sexual assault?
- Is a training program in place?
- Are there written guidelines for students, faculty and staff?
- Are students and employees encouraged to seek treatment?
 - On campus?
 - Through community resources?
- Are community-based sexual assault programs included in the referral process?

Sexual Assault Incident Report

Today's Date ___/___/___

This form should be completed by any administrator, faculty, staff or SART member who speaks with a victim about a sexual assault incident. This form is intended to convey information needed to track the college response to the incident being reported and to assess the danger the incident represents to the community at large. *All efforts must be made to maintain the victim's anonymity; no information should be included that might identify the victim.*

Return this form to the college's Sexual Assault Response Team Coordinator.

THIS DOCUMENT IS NOT TO BE USED AS A GUIDE FOR AN INTERVIEW.

Victim's age: _____ Academic year: _____ Sex: M ___ F ___

Date of incident: _____ Time of incident: _____ Occurred on campus? Yes ___ No ___

This incident is reported by: Victim ___ Third Party ___

Was the absence of consent due to the victim being incapacitated by drugs?
Yes ___ No ___ Unknown ___

Were any sedative drugs involved? Yes ___ No ___ Unknown ___

Check all that apply: Alcohol ___ Rohypnol ___ GHB ___ Ketamine ___ Unknown ___

Does the victim believe a sexual assault occurred? Yes ___ No ___ Unknown ___

If the sexual assault occurred on campus, indicate location (if known): _____

Describe sexual assault (check one):

- ___ Sexual contact (fondling, kissing, petting, but no penetration) by force or threat of force
- ___ Intercourse (oral, anal or vaginal penetration by penis or other object) by force or threat of force
- ___ Other (describe): _____

Describe any pressure or force used by the assailant(s) (check all that apply):

- ___ Gave victim alcohol or drugs so victim was incapacitated
- ___ Verbal pressure or arguments
- ___ Position of authority (teacher, supervisor, etc.)
- ___ Threat of physical force (threatened use of force or violence on victim or any other person)
- ___ Used physical force (hit, held victim down, twisted arm, etc.)
- ___ Weapon
- ___ Drugs: Marijuana ___ Ketamine ___ Ecstasy ___ GHB ___ Rohypnol ___
- ___ None

Gender of assailant(s): M ___ F ___

Status of assailant(s) on campus (check):

Student ___ Faculty ___ Staff ___ Non-student ___ Unknown ___

Continued on next page

Describe nature of relationship between the victim and the assailant(s) prior to the incident (check one):

Stranger New acquaintance (i.e., met at bar or party)
 Partner Friend or non-romantic acquaintance of any age
 Planned first date Other, describe: _____

Other departments or agencies the victim reported this assault to:

SART Coordinator Health Service
 Residence Life Campus Security
 Counseling Center Police Department
 Dean of Students County Sheriff's Department
 Community-based sexual assault program

At this time, does the victim want any of the following actions taken? (check one):

Criminal charges Conduct code complaint
 Mediation Undecided

Person taking the report: _____ Dept. /Agency: _____ Phone: _____

Date of report: _____ Time of report: _____ Date of discussion with victim: _____

THIS FORM IS NOT INTENDED TO BE USED FOR INVESTIGATIVE PURPOSES.

E. SEXUAL ASSAULT PREVENTION PROGRAM FOR CAMPUS HEALTHCARE STAFF

E.1. Overview

E.2. Training Outline

E.3. Workshop Presentation

E.4. Workshop Activities

2.E. SEXUAL ASSAULT PREVENTION PROGRAM FOR CAMPUS HEALTHCARE STAFF

E.1. OVERVIEW OF SEXUAL ASSAULT AND CAMPUS HEALTHCARE STAFF

Sexual violence has a significant negative impact on the health of the campus and community population. The potential reproductive and sexual health consequences are numerous – unwanted pregnancy, sexually transmitted diseases (STDs), human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and increased risk of risky sexual behaviors (i.e., early and increased sexual involvement and exposure to older and multiple partners). The mental health consequences of sexual violence can be just as serious and long-lasting.

Health workers who come into contact with victims of sexual violence are pivotal in the recognition of and response to, individual cases of sexual assault. In addition to providing immediate health care, the health sector can act as an important referral point for other services that the victim may later need.

Key program elements should include the following:

- Accurate definitions of stranger, acquaintance, party and gang rape;
- Information about college rules and sanctions regarding sexual assault;
- A discussion of the relationship between rape and alcohol use;
- A discussion of symptoms that suggest alcohol-related or drug-facilitated sexual assault;
- Information regarding the health consequences of sexual assault including immediate and long-term physical and psychological effects;
- Information on the assessment and examination of victims including forensic examination kits and other forensic evidence collection; and
- Information on how to make a referral for a victim of sexual assault to a community-based sexual assault program.

E.2. TRAINING OUTLINE FOR CAMPUS HEALTHCARE STAFF

10 minutes	Introduction <ul style="list-style-type: none">A. Housekeeping detailsB. Introduction of presentersC. Introduction of Agency
70 minutes	Presentation <ul style="list-style-type: none"><u>A. What is Sexual Assault?</u><u>B. Acquaintance/Non-Stranger Rape</u><i><u>Activity 1: Kara and Daniel</u></i><u>C. Myths and Facts</u><u>D. The Link Between Alcohol and Sexual Assault</u><u>E. Immediate and Long-Term Effects of Sexual Assault</u><i><u>Activity 2: Sexual Violence Spectrum</u></i><u>F. Responding to a Victim of Sexual Assault</u><u>G. Communicating With the Victim</u>
10 minutes	Closure and Q & A

E.3. WORKSHOP PRESENTATION FOR CAMPUS HEALTHCARE STAFF

Rape is one of the most common violent crimes on American college campuses today.¹

Data suggests that one in five young women experiences rape during college.²

¹Finn, P. (1995). *Preventing Alcohol-Related Problems on Campus: Acquaintance Rape – A Guide for Program Coordinators*. Newton, MA: Higher Education Center for Alcohol and Other Drug Prevention.

Fisher, B., Sloan, J. & Cullen, F. (1995). *Final Report: Understanding Crime Victimization Among College Students: Implication for Crime Prevention*. Washington, DC: U.S. Department of Justice.

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²Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*. Washington, DC: U.S. Department of Justice, National Institute of Justice and Bureau of Justice Statistics.

What is Sexual Violence?

Sexual violence is any unwanted sexual contact. It includes unwanted intercourse (vaginal oral or anal) and/or touching, fondling or groping of sexual body parts. It can be committed by the use of threats or force or when someone takes advantage of circumstances that render a person incapable of giving consent.

Having intercourse with someone who is unconscious or intoxicated is sexual assault.

Nine out of 10 times, the victim knows her perpetrator.¹

¹ Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*.

ACQUAINTANCE/NON-STRANGER RAPE

Acquaintance rape is sexual assault between two people who know each other.

Classmate

Friend

Boyfriend

Ex-boyfriend

Other acquaintance

ACQUAINTANCE/NON-STRANGER RAPE

Sexual assault can occur in a variety of contexts:

- Party rape (can also include gang rape)
- Rape on a date
- Rape in a non-party and non-date situation (e.g. while studying together)
- Rape by a former intimate partner
- Rape by a current intimate partner

The typical “party rape” occurs at an off-campus residence or on- or off-campus fraternity and involves the perpetrator plying his targeted victim with alcohol or targeting someone who is intoxicated. By contrast, an acquaintance rape typically involves two people who are just becoming acquainted and the offender rapes the woman in a car or residence after the date. Most acquaintance rapes do not occur on dates. Instead, they occur when the victim and perpetrator are otherwise in the same place (i.e., at a party or studying together).

Most campus sexual assaults are non-stranger sexual assaults. Nine out of 10 times the victim knows her perpetrator (Fisher, Cullen & Turner, 2000).

The term “date rape” so commonly used on college campuses has also led many to believe that campus rapes are inadvertently committed by almost any “basically good guy” who, when faced with the combination of too much alcohol and “miscommunication,” accidentally sexually assaults a woman. Research on sexual perpetrators over the last two decades has clearly shown that the majority of campus rapes are not accidents due to miscommunication and, in fact, are committed by a small number of male students who are, in essence, serial rapists.

[Activity 1: Kara and Daniel](#)

MYTHS AND FACTS

MYTH: Rape is caused by the perpetrator’s uncontrollable sexual urge.

FACT: Rape is an act of power and control, not sex. Rapes are often planned.¹

MYTH: Most rapists are strangers to their victims.

FACT: On college campuses, 90 percent of sexual assaults are committed by someone known to the victim.²

MYTH: The victim must have “asked for it” by being seductive, careless, drunk, etc.

FACT: The blame lies with the perpetrator. Poor judgment is not a “rape-able” offense.³

MYTH: Women lie about sexual assault to save their reputation or to get revenge.

FACT: FBI statistics show that only 3 percent of rape calls are false reports. Rape is a vastly underreported crime.⁴

¹ On college campuses, for example, alcohol plays a large role in sexual assault. Men who have committed sexual assault frequently report getting their female companion drunk as a way of making it easier to talk or force her

into having sex. Abbey, A. (2002). Alcohol-Related Sexual Assault: A Common Problem among College Students. *Journal of Studies on Alcohol*, Supplement 14: 118-128.

² Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*.

³ Many perpetrators use alcohol as a weapon to control their victims. As part of their plan, they encourage the woman to use alcohol or target a woman who is already drunk.

⁴ The false-report rate of rape is the same rate for other kinds of felonies. In fact, most sexual assaults are not reported to the police. Fewer than 5 percent of college women who are victims of rape or attempted rape report it to police (Fisher, Cullen & Turner, 2000). For victims, the criminal justice system can be so taxing, expensive and traumatic, it is likely that few would go through this process in order to “get revenge.” More people fake their own death than falsely report rape.

THE LINK BETWEEN ALCOHOL AND SEXUAL ASSAULT

At least 50 percent of college students’ sexual assaults are associated with alcohol use.¹

In 81 percent of the alcohol-related sexual assaults, both the victim and the perpetrator had consumed alcohol.¹

¹ Abbey, A. (2002). Alcohol-Related Sexual Assault: A Common Problem among College Students.

THE LINK BETWEEN ALCOHOL AND SEXUAL ASSAULT

Alcohol as a Weapon

Why Alcohol?

Ubiquitous

Socially Acceptable

Consensually Used by Victim

Expectation About Alcohol’s Effect

Beliefs About Women Who Drink

Alcohol’s Effect on Women’s Ability to React to Risk

Alcohol as a Weapon

Many perpetrators use alcohol as a weapon to commit sexual assault. Sexual assault is not about sex, it is about power and control. Alcohol is used to facilitate dominance over the victim. Offenders often ply women with alcohol or target an already intoxicated woman. Unfortunately, this is often true in fraternities and other male-centered organizations. “Candy is dandy, but liquor is quicker” is a familiar refrain that is often used on campuses to describe this form of coercion (Nash, 2007).

Why Alcohol?

Ubiquitous

Alcohol is the most frequently used drug by college students (even more than tobacco). Surveys of drinking patterns show that college students are more likely than their age-counterparts who are not in college to consume alcohol, to drink heavily and to engage in heavy episodic drinking. Studies show that one-third of American colleges have a majority of students who engage in high-risk drinking.

According to a Harvard School of Public Health College Alcohol Study, 63 percent of underage students reported drinking in the past 30 days and, though they drink less frequently, they drink more per occasion than of-age students. Many of the underage students surveyed said they obtained the alcohol at fraternity parties or other campus groups that charge an admission fee entitling guests to unlimited drinks.

Socially Acceptable

Alcohol consumption on many campuses has evolved into a rite of passage. Traditions and beliefs handed down through generations of college drinkers serve to reinforce students' expectations that alcohol is a necessary component of social success. Certain campus characteristics also reinforce the culture of college drinking. Rates of excessive alcohol use are highest at colleges and universities where Greek systems (i.e., fraternities and sororities) dominate and at those where sports teams have a prominent role.

Many students use alcohol to relax, blow off steam and fit in with peers. However, alcohol is often used as an excuse for acting out and perpetrators know this. When it comes to sexual assault, alcohol is used by perpetrators as a permission slip. Perpetrators know that many people hold men less responsible for an assault if they were drunk, i.e. "He was drunk. He didn't know what he was doing." They hold women more responsible for an assault if they had been drinking prior to the assault, i.e., "She was drinking all night. What did she expect?"

Consensually Used by Victim

In 81 percent of the alcohol-related sexual assaults, both the victim and the perpetrator had consumed alcohol (Abbey, 2002). In what other crime is the weapon used to commit the crime also used by the victim?

Expectations about Alcohol's Effect

Alcohol is commonly viewed as an aphrodisiac that increases sexual desire and capacity. Expectations have a power of their own. When people expect a certain outcome, they tend to act in ways that enhance the likelihood that the outcome will occur. Alcohol reduces motor function and has also been shown to reduce a person's ability to analyze complex social situations appropriately (Sampson, 2002). This may lead the victim or perpetrator to ignore or misunderstand typical sexual cues (Sampson, 2002).

The beliefs and expectations some men may have about alcohol may predispose them to act sexually and aggressively after drinking. In other words, it becomes a self-fulfilling

prophecy. For example, if a man starts out the evening thinking, “I’m going to have sex tonight,” drinking alcohol may allow him to interpret a woman’s behavior in a way that fits his original hypothesis, ignoring cues that she is not interested. Men with these expectations may feel more comfortable forcing sex when they are drinking because they can later justify to themselves (and others) that the alcohol made them act accordingly.

Beliefs about Women Who Drink

Women who drink alcohol are frequently perceived as being more sexually available and sexually promiscuous than women who do not drink alcohol.

Women who were drunk when raped are often viewed by others as partially responsible for what happened. Due to gender roles in our society, women are expected to set limits on sexual activities and are often held responsible when men overstep them.

It is no wonder, then, that many women feel that sexual assault is their fault – especially if they had been drinking prior to the assault. While perpetrators often use alcohol to excuse sexual assault, it has been suggested that a large percent of college-age rape victims blame themselves entirely for the attack because they were using drugs or alcohol (Sampson, 2002; Schwartz & Leggett, 1999).

Alcohol’s Effect on Women’s Ability to Assess and React to Risk

Drinking may keep a woman from noticing a man’s attempts to get her into an isolated location or his encouragement to drink even more. Alcohol’s effects on motor skills may limit a woman’s ability to resist sexual assault effectively, verbally and physically. Researchers have found that sexual assault victims who reported being at least somewhat drunk were less likely to use physical resistance strategies than were victims who were not drunk.

IMMEDIATE AND LONG-TERM EFFECTS OF SEXUAL ASSAULT

Shock and disbelief

Recurring thoughts

Memories, nightmares, flashbacks

Self-blame and shame

Fears about safety

Psychological disorders

Other effects may include:

Depression

Social withdrawal

Numbing/apathy (detachment, loss of caring)

Reduced ability to express emotions

Difficulty concentrating

Diminished interest in activities or sex

Promiscuity

Impaired memory

Loss of appetite and eating disorders

Thoughts of suicide and death

Substance abuse

Dropping out of school

Difficulty holding down a job

It is normal for survivors to experience a range of feelings after a sexual assault and all survivors will react to the incident in their own way. One survivor may feel intense anger and even have feelings of revenge, while another may feel numb.

Shock and disbelief

Immediately after the assault most victims are in a state of shock. Some will act as if nothing has happened, trying to make life seem normal. Others find themselves in a daze, having difficulty focusing or getting mobilized.

Recurring thoughts

There may also be periods when survivors are preoccupied with thoughts and feelings about the assault. They may have unwanted memories, flashbacks or nightmares. When they think about what happened, they may re-experience some of the sensations and feelings they had during the assault, such as fear and powerlessness.

Self-blame and shame

They may feel that the assault was their fault or that they could have done something to prevent it. They may feel guilty, ashamed and vulnerable in ways they have never experienced before.

Fears about safety

They may have trouble trusting other people. Sexual intimacy may be difficult if it brings painful memories or a fear of losing control. Survivors may feel alone in their experience and that no one can understand.

Psychological disorders

The chances that a victim will develop post-traumatic stress disorder (PTSD) after an assault are between 50 and 95 percent (Population Information Program, 2000).

All of these feelings and reactions are normal responses to sexual assault. It is also common for some feelings to resurface or new ones to emerge later on in a survivor's life. Periods of stress, new intimate relationships, the anniversary of the incident or situations such as seeing the perpetrator or testifying in court can trigger intense feelings.

Activity 2: Sexual Violence Spectrum

RESPONDING TO A VICTIM OF SEXUAL ASSAULT

1) FIND OUT WHEN THE ASSAULT OCCURED

Within 96 Hours

- ▲ **Offer services of local rape crisis center**
 - Counseling
 - Medical Advocate
- ▲ **Encourage medical care at local Emergency Department**
 - Forensic Medical Exam
 - Emergency Contraception (EC)
 - STD testing
 - SAFE/SANE

Outside 96 Hours

- ▲ **Provide Emergency Contraception**
 - Emergency Contraception (EC)
 - Direct victim to pharmacy
- ▲ **Test for and Provide Medication for STDs**
- ▲ **Referral to Local Health Clinic for HIV/AIDS Testing**

2) REFERRAL TO LOCAL RAPE CRISIS CENTER

3) DISCUSS REPORTING OPTIONS WITH VICTIM

1) FIND OUT WHEN THE ASSAULT OCCURRED

If the assault occurred within 96 hours, the victim should be encouraged to go to the emergency department of the local hospital for a forensic medical examination. If it is within the 96 hour window, valuable evidence of the assault may still be on her body. If it is past the 96 hour window, there could still be evidence that could be documented or collected (such as vaginal tearing, bruising or DNA evidence on the clothing worn at the time of the assault. Every case is

different and it is best to have a professional (such as a SANE) make that determination rather than adhering strictly to the suggested 96 hour time frame. If the victim suspects that drugs were used in the assault, urine and blood could be collected if it is within a certain time period.

Offer services of local rape crisis center:

Counseling: Local rape crisis centers offer free and confidential counseling to victims of sexual violence and their friends and family. Counseling can help ease psychological trauma from the assault. Crisis centers also offer legal and medical advocacy.

Medical Advocate: Medical advocates are trained rape crisis personnel who assist victims at the hospital. They offer support during the forensic medical exam and notify victims of their rights, speaking with the police, counseling, etc.

Encourage medical care at local emergency department

Forensic Medical Exam: The forensic medical exam is a special interview and examination of the victim to gather evidence of a sexual assault in a manner suitable for use in a court of law. A specialized forensic exam kit is used to categorize and preserve evidence. Following the exam, the kit is provided to law enforcement during which chain of custody is strictly enforced. The forensic medical examination includes an oral history of the victimization event; full body and gynecological examinations for trauma; as appropriate the collection of specimens from the surface of the skin, mouth, vagina and anus; and the collection of visible hair and/or fibers on the victim. The exam may utilize specialized equipment such as a black light and colposcope.

During the forensic medical exam, emergency contraception and prophylactic treatment for STDs are provided to the victim.

SAFE/SANE: Sexual Assault Forensic Examiners or Sexual Assault Nurse Examiners are registered nurses or physicians' assistants specially trained to provide comprehensive care, timely collection of forensic evidence and testimony in sexual assault cases.

Provide Emergency Contraception

Emergency Contraception (EC):

The risk of pregnancy from sexual assault is estimated to be 2 to 5 percent (Ledray, 1999). However, pregnancy resulting from sexual assault often is a cause of great concern and significant additional trauma to the victim. The standard of emergency care established by the American Medical Association (AMA) requires that patients of a sexual assault be counseled about their risk of pregnancy and offered emergency contraception (EC). The sooner EC is taken, the better it works to prevent pregnancy after sexual assault. EC is most effective when taken within the first 12 hours after an assault and can be effective up to 120 hours (5 days) after the assault.

Progestin-only pills like Plan B, Plan B One-Step and Next Choice are FDA-approved for use as EC. They are more effective and have fewer side effects than some other medications. These medications do not end an existing pregnancy.

EC can be offered on site. Plan B is available for purchase without a prescription, if the patient is 17 years of age or older. More information can be obtained at www.go2planb.com.

If your campus health clinic does not keep EC on hand, inform the victim that EC is now over the counter and can be purchased at most drug stores. **All college health centers are strongly encouraged to stock EC.**

(Note the first three paragraphs above are from WVFRIS. (2011). *West Virginia Protocol for Responding to Victims of Sexual Assault, 5th edition*, 76.)

Test for and Provide Medication for STDs

Referral to Local Health Clinic for HIV/AIDS Testing

2) REFERRAL TO LOCAL RAPE CRISIS CENTER

Campus officials should visit www.fris.org for contact information for your local rape crisis center and victim advocates.

3) DISCUSS REPORTING OPTIONS WITH VICTIM

In addition to reporting the assault to campus police, victims should consider reporting the crime to local law enforcement. Sexual assault is a crime that needs to be investigated and prosecuted by the proper authorities. Although victims can be encouraged to report the assault to police, the act of reporting is the victim's decision to make. The victim can receive more information about reporting from the sexual assault advocate at the local rape crisis center.

Victims should be encouraged to seek medical treatment regardless of their decision to report the assault to law enforcement. Victims should be informed that they can have a forensic medical exam conducted *without reporting the assault to law enforcement* (as long as the circumstances do not warrant a mandatory report by the health care professional). Sex crime evidence collection kits collected from victims who choose not to report the assault to law enforcement will be sent to Marshall University Forensic Science Center (MUFSC), where the collected evidence will be stored for potential future use. It is important to note that if liquid samples were collected as a part of the toxicology kit (blood and urine), the samples will have a limited life span and will degrade over time. All samples collected as a part of the forensic medical examination (e.g., swabs, smears, etc.) will have an unlimited lifespan if collected and dried properly.

Should the decision be made to initiate an investigation at a later time in a "non-reported" case, the victim would need to contact law enforcement and provide the kit tracking number for law enforcement to be able to secure the sex crime evidence collection kit from MUFSC. If an investigation has not been initiated within 18 months from the time of collection, the sex crime evidence collection kit will be categorized as "non-active." Samples collected as

part of the forensic medical examination in “non-active” kits may be used for training purposes once all identifying information has been removed. After the 18 month time period, if the “non-active” sex crime evidence collection kit has not been used for training purposes, the victim can still request that an investigation be initiated. There is no statute of limitations on reporting sexual assault in West Virginia.

COMMUNICATING WITH THE VICTIM

DO

- Remain calm
- Believe the victim
- Give the victim control
- Let the victim express feelings
- Maintain confidentiality
- Encourage medical attention and counseling

DO NOT

- Get angry if the victim is reluctant to talk
- Pry into the intimate aspects of the assault
- Say everything is alright
- Make promises

DO

Remain calm: It is common for you to feel shocked and outraged, but expressing these emotions to the victim may cause her more trauma.

Believe the victim: Make it clear that you believe the assault happened and that the assault was not her fault. Do not ask “why” questions that may make the victim defensive, such as “Why were you wearing that?” or “Why did you go to his room?”

Give the victim control: All control was stripped from the victim during the assault. Empower her to make decisions about what steps to take next, but do not tell her what to do.

Let the victim express feelings: Allow the victim to cry, scream, be silent, etc. Remember, the victim is angry with the assailant and the situation, not with you.

Maintain confidentiality: Let the victim decide who will know about the assault. It is not your place to tell people.

Encourage counseling: Give the victim the hotline number for the nearest rape crisis center, but let the victim decide whether or not to go.

DO NOT

Get angry if the victim is reluctant to talk: Do not accuse her of “hiding something” because she did not tell someone sooner. She may fear rejection, may want to protect the perpetrator or loved ones or is embarrassed. One way the victim can feel in control of the situation is by not talking about it.

Pry into the intimate aspects of the assault: A sexual assault is a traumatic and intimate violation. She may not want to recall and share frightening sexual acts. Also, if alcohol or drugs were involved, she may not remember clearly what happened. This does not mean it is any less of an assault. The SANE at the local emergency room (and law enforcement) should be the only one(s) asking the victim for details of the assault.

Say everything is alright: Even if the victim is in a safe place, everything is probably not “alright” with her. Avoid minimizing what happened to her. It may take years to heal from the sexual assault.

Make promises: Don’t make any promises that you’re not sure you will be able to keep. For instance, don’t promise that the victim will never be hurt again or that the offender will go to jail. The victim has put her trust in you – you don’t want to break that trust.

E.4. WORKSHOP ACTIVITIES FOR CAMPUS HEALTHCARE STAFF

ACTIVITY 1: KARA AND DANIEL:

[SEE 3.A FOR ACTIVITY MATERIALS](#)

ACTIVITY 2: SEXUAL VIOLENCE SPECTRUM:

[SEE SECTION 3.B FOR ACTIVITY MATERIALS](#)

ANONYMOUS REPORT FORM FOR SEXUAL ASSAULT:

[SEE SECTION 3.F FOR MATERIAL](#)

SEXUAL ASSAULT RESPONSE PROTOCOL:

[SEE SECTION 3.G FOR MATERIAL](#)

F. SEXUAL ASSAULT PREVENTION PROGRAM FOR FACULTY AND STAFF

F.1. Overview

F.2. Training Outline

F.3. Workshop Presentation

F.4. Workshop Activities

2.F. SEXUAL ASSAULT PREVENTION PROGRAM FOR FACULTY AND STAFF

F.1. OVERVIEW OF SEXUAL ASSAULT FOR FACULTY AND STAFF

Members of the college or university faculty and/or staff have relationships with students who may view them as trusted resources within the campus community. In turn, professors, teaching assistants, custodians and administrative support staff must be prepared to appropriately respond to disclosures and sexual victimization.

Faculty and staff not only provide resources for victims, but are also vulnerable to assaults themselves. In addition, faculty and staff are potential perpetrators of sexual assault and should receive clear guidance about institutional responses to assaults perpetrated by such individuals.

Key program elements should include the following:

- Accurate definitions of stranger, acquaintance, party and gang rape;
- Information about college rules and sanctions regarding sexual assault;
- A discussion of the relationship between rape and alcohol use;
- A comparison of the frequency of acquaintance rape with that of stranger rape;
- A discussion of commonly held misconceptions about acquaintance rape;
- An emphasis on the immediate and long-term psychological harm to acquaintance rape victims; and
- A discussion of how faculty and staff can help and support acquaintance rape victims.

F.2. TRAINING OUTLINE FOR FACULTY AND STAFF

10 minutes	Introduction <ul style="list-style-type: none">A. Housekeeping detailsB. Introduction of presentersC. Introduction of Agency
70 minutes	Presentation <ul style="list-style-type: none"><u>A. What is Sexual Assault?</u><u>B. State Laws and College Rules and Sanctions</u><u>C. Acquaintance/Non-Stranger Rape</u><u>D. Sexual Assault and Force</u><u>Activity 1: A Date – The Interior Dialogue</u><u>E. Myths and Facts</u><u>F. The Link Between Alcohol and Sexual Assault</u><u>Activity 2: The Undetected Rapist</u><u>G. Immediate and Long-Term Effects of Sexual Assault</u><u>Activity 3: Sexual Violence Spectrum</u><u>H. How Faculty and Staff Can Support Sexual Assault Victims</u>
10 minutes	Closure and Q & A

F.3. WORKSHOP PRESENTATION FOR FACULTY AND STAFF

Rape is one of the most common violent crimes on American college campuses today.¹

Data suggests that one in five young women experiences rape during college.²

¹Finn, P. (1995). *Preventing Alcohol-Related Problems on Campus: Acquaintance Rape – A Guide for Program Coordinators*. Newton, MA: Higher Education Center for Alcohol and Other Drug Prevention.

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What is Sexual Violence?

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Having intercourse with someone who is unconscious or intoxicated is sexual assault.

Nine out of 10 times, the victim knows her perpetrator.¹

¹ Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*.

West Virginia Sex Offense Laws

§61-8B-3. Sexual assault in the first degree.

(a) A person is guilty of sexual assault in the first degree when:

1. The person engages in sexual intercourse or sexual intrusion with another person and, in so doing:
 - (i) Inflicts serious bodily injury upon anyone; or
 - (ii) Employs a deadly weapon in the commission of the act; or
2. The person, being 14 years old or more, engages in sexual intercourse or sexual intrusion with another person who is younger than 12 years old and is not married to that person.

(b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than 15 nor more than 35 years or fined not less than 1,000 dollars nor more than 10,000 dollars and imprisoned in a state correctional facility not less than 15 nor more than 35 years.

(c) Notwithstanding the provisions of subsection (b) of this section, the penalty for any person violating the provisions of subsection (a) of this section who is 18 years of age or older and whose victim is younger than 12 years of age, shall be imprisonment in a state correctional facility for not

less than 25 nor more than 100 years and a fine of not less than 5,000 dollars nor more than 25,000 dollars.

§61-8B-4. Sexual assault in the second degree.

(a) A person is guilty of sexual assault in the second degree when:

1. Such person engages in sexual intercourse or sexual intrusion with another person without the person's consent and the lack of consent results from forcible compulsion; or
2. Such person engages in sexual intercourse or sexual intrusion with another person who is physically helpless.

(b) Any person who violates the provisions of this section shall be guilty of a felony and, upon conviction thereof, shall be imprisoned in the penitentiary not less than 10 nor more than 25 years or fined not less than 1,000 dollars nor more than 10,000 dollars and imprisoned in the penitentiary not less than 10 nor more than 25 years.

§61-8B-5. Sexual assault in the third degree.

(a) A person is guilty of sexual assault in the third degree when:

1. The person engages in sexual intercourse or sexual intrusion with another person who is mentally defective or mentally incapacitated; or
2. The person, being 16 years old or more, engages in sexual intercourse or sexual intrusion with another person who is less than 16 years old and who is at least four years younger than the defendant and is not married to the defendant.

(b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than one year nor more than five years or fined not more than 10,000 dollars and imprisoned in a state correctional facility not less than one year nor more than five years.

Acquaintance/Non-Stranger Rape

Acquaintance rape is sexual assault between two people who know each other.

- classmate
- friend
- boyfriend
- ex-boyfriend
- other acquaintance

Acquaintance/Non-Stranger Rape

Sexual assault can occur in a variety of contexts:

- party rape (can also include gang rape)
- rape on a date
- rape in a non-party and non-date situation (e.g. while studying together)
- rape by former intimate
- rape by a current intimate

The typical “party rape” occurs at an off-campus residence or on- or off-campus fraternity and involves the perpetrator plying his targeted victim with alcohol or targeting someone who is intoxicated. By contrast, acquaintance rape typically involves two people who are just becoming acquainted and the offender rapes the victim in a car or residence after the date. Most acquaintance rapes do not occur on dates. Instead, they occur when the victim and perpetrator are otherwise in the same place (i.e., at a party or studying together).

Most campus sexual assaults are non-stranger sexual assaults. Nine out of 10 times the victim knows her perpetrator (Fisher, Cullen & Turner, 2000).

The term “date rape” so commonly used on college campuses has also led many to believe that campus rapes are inadvertently committed by almost any “basically good guy” who, when faced with the combination of too much alcohol and “miscommunication,” accidentally sexually assaults a woman. Research on sexual perpetrators over the last two decades has clearly shown that the majority of campus rapes are not accidents due to miscommunication and, in fact, are committed by a small number of male students who are, in essence, serial rapists.

SEXUAL ASSAULT AND FORCE

Force in sexual assault can be more subtle than weapons and physical injury

- Not listening when the person says “no”
- Quid pro quo bargaining
- Bargaining with negative consequences within the relationship
- Emotional intimidation
- Role intimidation
- Physical intimidation
- Threatening to harm another person
- Implying that something even worse will happen if the person does not give in
- Getting the person drunk or high in order to have sex
- Physical force

Silence is not consent!

When many people think about rape, they often picture someone overpowering the victim with a weapon or brute strength. But the force used in sexual assault often takes a different form. It includes various forms of physical and emotional manipulation.

Not listening when the person says “no:” “No” means “no.”

Quid pro quo bargaining: Claiming to have “earned” sexual contact or that the other person “owes” it, based on something already done or offered.

Bargaining with negative consequences within the relationship: Trying to influence the other person to have sex by pointing out the damage to the relationship by not complying. This can be viewed as giving the person a warning or a threat. For example, “If you don’t have sex with me, I’ll start dating someone else.”

Emotional intimidation: Threatening or actually making verbal attacks against the person, in ways that are more abusive than simple expressions of anger.

Role intimidation: Using the authority of one’s job or role to threaten loss of income or status. For college students, using one’s social standing to threaten loss of status in social groups.

Physical intimidation: Refusing to leave the room, invading personal space, etc. without physical contact.

Threatening to harm another person.

Implying that something even worse will happen if the person does not give in.

Getting the person drunk or high in order to have sex: It is considered sexual assault if the victim is unconscious or intoxicated. If a student is drunk, under the influence of a drug other than alcohol, unconscious or otherwise unable to say "no" to a potential sexual partner, she/he is not capable of giving consent. Under any of these circumstances, saying "yes" does not constitute consent.

Physical force: Grabbing, holding, twisting arms, etc. in order to continue sexual activity. This includes physically insisting on continuing sexual contact in the face of resistance.

Silence is not consent: Sometimes victims are too scared, disoriented or shocked to say no or fight back. Frozen fright is a normal response to a traumatic event. It immobilizes the victim. This does not mean they consented to the sexual activity.

[Activity 1: A Date; The Interior Dialogue](#)

Myths and Facts

MYTH: Rape is caused by the perpetrator's uncontrollable sexual urge.

FACT: Rape is an act of power and control, not sex. Rapes are often planned.¹

MYTH: Most rapists are strangers to their victims.

FACT: On college campuses, 90 percent of sexual assaults are committed by someone known to the victim.²

MYTH: The victim must have "asked for it" by being seductive, careless, drunk, etc.

FACT: The blame lies with the perpetrator. Poor judgment is not a "rape-able" offense.³ And since most rapes are planned, what the victim is wearing could not be a factor.

MYTH: Women lie about sexual assault to save their reputation or to get revenge.

FACT: FBI statistics show that only 3 percent of rape calls are false reports. Rape is a vastly underreported crime.⁴

¹ On college campuses, for example, alcohol plays a large role in sexual assault. Men who have committed sexual assault frequently report getting their female companion drunk as a way of making it easier to talk or force her into having sex. Abbey, A. (2002). Alcohol-Related Sexual Assault: A Common Problem among College Students. *Journal of Studies on Alcohol*, Supplement 14: 118-128.

² Fisher, B., Cullen, F. & Turner, M. (2000). *The Sexual Victimization of College Women*.

³ Many perpetrators use alcohol as a weapon to control their victims. As part of their plan, they encourage the woman to use alcohol or target a woman who is already drunk.

⁴ The false-report rate of rape is the same rate for other kinds of felonies. In fact, most sexual assaults are not reported to the police. Fewer than 5 percent of college women who are victims of rape or attempted rape report it to police (Fisher, Cullen & Turner, 2000). For victims, the criminal justice system can be so taxing, expensive and traumatic, it is likely that few would go through this process in order to "get revenge." More people fake their own death than falsely report rape.

THE LINK BETWEEN ALCOHOL AND SEXUAL ASSAULT

At least 50 percent of college students' sexual assaults are associated with alcohol use.¹

In 81 percent of the alcohol-related sexual assaults, both the victim and the perpetrator had consumed alcohol.¹

¹ Abbey, A. (2002). Alcohol-Related Sexual Assault: A Common Problem among College Students.

THE LINK BETWEEN ALCOHOL AND SEXUAL ASSAULT

Alcohol as a Weapon

Why Alcohol?

- Ubiquitous
- Socially Acceptable
- Consensually Used by Victim
- Expectation About Alcohol's Effect
- Beliefs About Women Who Drink
- Alcohol's Effect on Women's Ability to React to Risk

Alcohol as a Weapon

Many perpetrators use alcohol as a weapon to commit sexual assault. Sexual assault is not about sex, it is about power and control. Alcohol is used to facilitate dominance over the victim. Offenders often ply women with alcohol or target an already intoxicated woman. Unfortunately, this is often true in fraternities and other male-centered organizations. "Candy is dandy, but liquor is quicker" is a familiar refrain that is often used on campuses to describe this form of coercion (Nash, 2007).

Why Alcohol?

Ubiquitous

Alcohol is the most frequently used drug by college students (even more than tobacco). Surveys of drinking patterns show that college students are more likely than their age-mates who are not in college to consume alcohol, to drink heavily and to engage in heavy episodic drinking. Studies show that one-third of American colleges have a majority of students who engage in high-risk drinking.

According to a Harvard School of Public Health College Alcohol Study, 63 percent of underage students reported drinking in the past 30 days and, though they drink less frequently, they drink more per occasion than of-age students. Many of the underage students surveyed said they obtained the alcohol at fraternity parties or parties held by other campus groups that charge an admission fee entitling guests to unlimited drinks.

Socially Acceptable

Alcohol consumption on many campuses has evolved into a rite of passage. Traditions and beliefs handed down through generations of college drinkers serve to reinforce students' expectations that alcohol is a necessary component of social success. Certain campus characteristics also reinforce the culture of college drinking. Rates of excessive alcohol use are highest at colleges and universities where Greek systems (i.e., fraternities and sororities) dominate and at those where sports teams have a prominent role.

Many students use alcohol to relax, blow off steam and/or fit in with peers. However, alcohol is often used as an excuse for acting out and perpetrators know this. When it comes to sexual assault, alcohol is used by perpetrators as a permission slip. Perpetrators

know that many people hold men less responsible for an assault if they were drunk (i.e., “He was drunk. He didn’t know what he was doing.”) They hold women more responsible for an assault if they had been drinking prior to the assault (e.g., “She was drinking all night. What did she expect?”).

Consensually Used by Victim

In 81 percent of the alcohol-related sexual assaults, both the victim and the perpetrator had consumed alcohol (Abbey, 2002). In what other crime is the weapon used to commit the crime also used by the victim?

Expectations about Alcohol’s Effect

Alcohol is commonly viewed as an aphrodisiac that increases sexual desire and capacity. Expectations have a power of their own. When people expect a certain outcome, they tend to act in ways that enhance the likelihood that the outcome will occur. Alcohol reduces motor function and has also been shown to reduce a person’s ability to analyze complex social situations appropriately (Sampson, 2002). This may lead the victim or perpetrator to ignore or misunderstand typical sexual cues (Sampson, 2002).

The beliefs and expectations some men may hold about alcohol may predispose them to act sexually and aggressively after drinking. In other words, it becomes a self-fulfilling prophecy. For example, if a man starts out the evening thinking, “I’m going to have sex tonight,” drinking alcohol may allow him to interpret a woman’s behavior in a way that fits his original hypothesis, ignoring cues that she is not interested. Men with these expectations may feel more comfortable forcing sex when they are drinking because they can later justify to themselves (and others) that the alcohol made them act inappropriately.

Beliefs about Women Who Drink

Women who drink alcohol are frequently perceived as being more sexually available and sexually promiscuous than women who do not drink alcohol.

Women who were drunk when raped are often viewed by others as partially responsible for what happened. Due to gender roles in our society, women are expected to set limits on sexual activities and are often held responsible when men overstep them.

It is no wonder, then, that many women feel that sexual assault is their fault – especially if they had been drinking prior to the assault. While perpetrators often use alcohol to excuse sexual assault, it has been suggested that a large percent of college-age rape victims blame themselves entirely for the attack because they were using drugs or alcohol (Sampson, 2002; Schwartz & Leggett, 1999).

Alcohol’s Effect on Women’s Ability to Assess and React to Risk

Drinking may keep a woman from noticing a man’s attempts to get her into an isolated location or his encouragement for her to drink even more. Alcohol’s effects on motor skills may limit a woman’s ability to resist sexual assault effectively. Researchers have found that acquaintance rape victims who reported being at least somewhat drunk were less likely to use physical resistance strategies than victims who were not drunk.

[Activity 2: The Undetected Rapist](#)

IMMEDIATE AND LONG-TERM EFFECTS OF SEXUAL ASSAULT

Shock and disbelief

Recurring thoughts

Memories, nightmares, flashbacks

Self-blame and shame

Fears about safety

Psychological disorders

Other effects may include:

- Depression
- Social withdrawal
- Numbing/apathy (detachment, loss of caring)
- Reduced ability to express emotions
- Difficulty concentrating
- Diminished interest in sexual activities or sex
- Promiscuity
- Impaired memory
- Loss of appetite and eating disorders
- Thoughts of suicide and death
- Substance abuse
- Dropping out of school
- Difficulty holding down a job

It is normal for survivors to experience a range of feelings after a sexual assault and all survivors will react to the incident in their own way. One survivor may feel intense anger and even have feelings of revenge, while another may feel numb.

Shock and disbelief

Immediately after the assault most victims are in a state of shock. Some will act as if nothing has happened, trying to make life seem normal. Others find themselves in a daze, having difficulty focusing or getting mobilized.

Recurring thoughts

There may also be periods when survivors are preoccupied with thoughts and feelings about the assault. They may have unwanted memories, flashbacks or nightmares. When they think about what happened, they may re-experience some of the sensations and feelings they had during the assault, such as fear and powerlessness.

Self-blame and shame

They may feel that the assault was their fault or that they could have done something to prevent it. They may also feel guilty, ashamed and vulnerable in ways they never experienced before.

Fears about safety

They may have trouble trusting other people. Sexual intimacy may be difficult if it brings painful memories or a fear of losing control. Survivors may feel alone in their experience and that no one can understand.

Psychological disorders

The chances that a victim will develop post-traumatic stress disorder (PTSD) after an assault are between 50 and 95 percent (Population Information Program, 2000).

All of these feelings and reactions are normal responses to sexual assault. It is also common for some feelings to resurface or new ones to emerge later on in a survivor's life. Periods of stress, new intimate relationships, the anniversary of the incident or situations such as seeing the perpetrator or testifying in court can trigger intense feelings.

HOW FACULTY AND STAFF CAN SUPPORT SEXUAL ASSAULT VICTIMS

Immediate Concerns

Physical Safety: Make sure the victim is in a safe place.

Evidence: Valuable evidence of the assault may remain on the victim's body and clothes.

Medical Attention: Refer the victim for treatment for injuries, and other potential medical concerns (e.g., STDs, medication to prevent pregnancy).

Reporting the Assault: Support the victim if she chooses to notify the police.

Counseling: Refer the victim to 1-800-656-HOPE or available campus counseling services.

Fewer than 5 percent of college women who are victims of rape or attempted rape report it to police (Fisher, Cullen & Turner, 2000). In about two-thirds of the rape incidents, however, the victim did tell another person about the incident. Most often this person was a friend, not a family member or college official. **Members of the college or university faculty and/or staff have relationships with students who may view them as trusted resources within the campus community. Professors, teaching assistants, custodians and administrative support staff must be prepared to appropriately respond to disclosures and sexual victimization.**

Physical Safety: Make sure the victim is in a safe place. Encourage her to call or be with someone she trusts for emotional support.

Evidence: Valuable evidence of the assault may remain on the victim's body and clothes. Encourage the victim not to eat, drink, smoke, comb her hair, shower, urinate, defecate or

douche before going to the emergency room. However, if she has already done these things, don't let this stop her from seeking medical care. Also, if possible, have the victim place the clothes she was wearing during the assault in a paper bag and take them to the hospital with her.

Medical Attention: Doctors can check for injuries that may not be visible. Hospital staff can also treat the victim for possible sexually transmitted diseases (STDs) and provide medication to prevent pregnancy (emergency contraception). Hospital staff may also perform a forensic medical exam to collect evidence in case the victim decides to report the assault to law enforcement.

Reporting the Assault: Whether or not the victim decides to report the assault to law enforcement, support the decision. Encourage the victim to still have a forensic medical exam conducted (if appropriate) since the assault can still be reported at a later time but the time period for collecting evidence is limited.

Counseling: The victim has been through a traumatic experience and may need help dealing with her feelings. Call 1-800-656-HOPE for a WV rape crisis center near the victim or the campus counseling center.

[Activity 3: Sexual Violence Spectrum](#)

HOW FACULTY AND STAFF CAN SUPPORT SEXUAL ASSAULT VICTIMS

Communicating with the Victim

DO

- Remain calm
- Believe the victim
- Give the victim control
- Let the victim express feelings
- Maintain confidentiality
- Encourage medical attention and counseling

DO NOT

- Get angry if the victim is reluctant to talk
- Pry into the intimate aspects of the assault
- Confront the offender or encourage revenge
- Say everything is alright
- Tell the victim to "get over it"
- Make promises

DO

Remain calm: It is common for you to feel shocked and outraged, but expressing these emotions to the victim may cause her more trauma.

Believe the victim: Make it clear that you believe the assault happened and that the assault was not her fault. Do not ask “why” questions that may make the victim defensive, such as “Why were you wearing that?” or “Why did you go to his room?”

Give the victim control: All control was stripped from the victim during the assault. Empower her to make decisions about what steps to take next, but do not tell her what to do.

Let the victim express feelings: Allow the victim to cry, scream, be silent, etc. Remember, the victim is angry with the assailant and the situation, not with you.

Maintain confidentiality: Let the victim decide who will know about the assault. It is not your place to tell people.

Encourage counseling: Give the victim the hotline number for the nearest rape crisis center, but let the victim decide whether or not to go.

DO NOT

Get angry if the victim is reluctant to talk: Do not accuse her of “hiding something” because she did not tell you sooner. She may fear rejection, may want to protect the perpetrator or loved ones or is embarrassed. One way the victim can feel in control of the situation is by not talking about it.

Pry into the intimate aspects of the assault: A sexual assault is a traumatic and intimate violation. She may not want to recall and share frightening sexual acts. Also, if alcohol or drugs were involved, she may not remember clearly what happened. This does not mean it is any less of an assault.

Confront the offender or encourage revenge: A confrontation can add additional trauma – especially if the offender is a boyfriend or acquaintance. It can also be dangerous. Leave it to the authorities.

Say everything is alright: Even if the victim is in a safe place, everything is probably not “alright” with her. Avoid minimizing what happened to her. It may take years to heal from the sexual assault.

Tell the victim to “get over it”: Every victim deals with an assault and her emotions differently. Allow the victim to heal in her own way.

Make promises: Don’t make any promises that you’re not sure you will be able to keep. For instance, don’t promise that the victim will never be hurt again or that the offender will go to jail. The victim has put her trust in you – you don’t want to break that trust.

F.4. WORKSHOP ACTIVITIES FOR FACULTY & STAFF

ACTIVITY 1: A DATE: THE INTERIOR DIALOGUE:

[SEE SECTION 3.C FOR ACTIVITY MATERIALS](#)

ACTIVITY 2: THE UNDETECTED RAPIST:

[SEE SECTION 3.D FOR ACTIVITY MATERIAL](#)

ACTIVITY 3: SEXUAL VIOLENCE SPECTRUM:

[SEE SECTION 3.E FOR ACTIVITY MATERIAL](#)

ANONYMOUS REPORT FORM FOR SEXUAL ASSAULT:

[SEE SECTION 3.F FOR MATERIAL](#)

SEXUAL ASSAULT RESPONSE PROTOCOL:

[SEE SECTION 3.G FOR MATERIAL](#)

3. ACTIVITIES AND HANDOUTS FOR CAMPUS SEXUAL ASSAULT PREVENTION PROGRAMS

- A. Kara and Daniel
- B. Sexual Communications
- C. A Date: The Interior Dialogue
- D. The Undetected Rapist
- E. The Sexual Violence Spectrum
- F. Anonymous Report Form for Sexual Assault
- G. Sexual Assault Response Protocol

3.A. KARA AND DANIEL

Supplies:

- Kara and Daniel Scenario
- Kara and Daniel: What Do You Think? worksheet
- Pencils

Directions:

- 1) Give a copy of the Kara and Daniel Scenario to each participant.
- 2) Ask participants to read the story. Then, ask them to complete section A of the worksheet. Each participant will rank the characters from the most responsible for the sexual assault (#1) to the least responsible (#5). *This section is designed to get the participants thinking about the role of bystanders and facilitators in a sexual assault.*
- 3) After participants finish section A, ask them how they ranked the 5 characters and to explain their rationale.
- 4) Next, participants anonymously complete section B of the worksheet. Instructor can use the following Discussion Questions as a springboard for discussion.
- 5) Ask that participants not fill out section C until later on in the presentation. **Come back to this section during the discussion on Bystander Responsibility.** Allow participants time to review the Kara and Daniel scenario. Then, participants complete section C of the worksheet. *This section is designed to stimulate thinking about proactive words and actions by bystanders that might prevent a sexual assault.*

Discussion Questions:

Did Kara and Daniel have consensual sex?

No, this was not consensual sex. Kara put up resistance and said “no” to sexual intercourse. Additionally, someone who is unconscious or intoxicated cannot give consent. Even though Kara began to perform oral sex on Daniel, it does not mean that she wanted to have sex.

Was Kara sexually assaulted by Daniel?

Yes, Daniel sexually assaulted Kara. Even though it was not violent and did not leave cuts and bruises, it was still an assault because it was against Kara’s will. Many people incorrectly believe that a “real” rape is a violent rape. In fact, most sexual assaults between people who know each other are not physically violent.

Why do you think most acquaintance rapes are not physically violent?

How might the myth of “real rapes” affect victims of acquaintance rape?

What role did alcohol play in the Kara and Daniel Scenario?

While alcohol does not cause sexual assault and should not be used as an excuse, it can play a significant role in assaults that occur on college campuses. Daniel and Ty believed

alcohol was an aphrodisiac that might put Kara at ease and put them both in the mood for sex. When people expect a certain outcome, they tend to act in ways that enhance the likelihood that the outcome will occur. In addition, Kara's intoxication prevented her from noticing Daniel's attempts to go further sexually and his encouragement to drink more. Alcohol's effects on motor skills limited Kara's ability to resist the sexual assault effectively.

How drunk was Daniel?

Does his level of intoxication affect his level of responsibility?

Does the fact that Kara initiated oral sex have any relevance to the sexual assault?

No. Kara consented to oral sex, but she did not consent to intercourse. During sexual contact, both partners have the right to give *specific* permission. Saying "yes" to one sexual act does not entitle a person to assume that the other person is giving permission to other acts. Although Kara initiated oral sex, Daniel did not have the right to force her to have intercourse.

What role did the other characters in the Scenario play in the sexual assault?

Ty

Andrea

Mike

Kara and Daniel

Kara is a sophomore in college. She has gone to an off-campus party with her roommate and several friends. They know several people at the party but not everyone. Kara is attractive and likes to look sexy when going out. She is also very sociable and has been flirting with several different guys at the party; some of them are friends and some are strangers she has just met. Kara has been drinking heavily.

Daniel is a junior in college. He is one of the housemates where the party is taking place. Daniel noticed Kara earlier in the evening, thought she was attractive and pointed her out to his roommate, Ty. Ty said, "Go for it man. Maybe you'll finally get some tonight."

Daniel approaches Kara and they start talking. They realize that they have a class together and laugh about the professor. Daniel and Kara continue talking and flirting on and off throughout the party. On several occasions they dance together and Kara rubs up against Daniel suggestively. They kiss several times in the hallway and kitchen. A few times, Daniel touches her breasts and tries to reach down her pants. Kara pushes his hands away and keeps kissing him.

Kara leaves Daniel to find her friends and get another drink. When Ty sees that Daniel is alone, he says, "What happened? Did you wimp out again?" When Daniel explains where Kara is, Ty responds, "Well, you'd better hit that tonight or I will."

Kara returns later, appearing more intoxicated. She is boisterous and unsteady on her feet. One of her favorite songs comes on and she begins to dance. Ty appears and he and Daniel begin to dance with her. After a while, Ty gets the three of them more to drink.

Kara's roommate Andrea approaches and says that she and a few of the other women Kara came with are leaving. "Are you coming?" she asks. Daniel kisses Kara's neck and Kara replies, "I'm going to stay a while longer." Andrea grows annoyed and says, "I thought we were all leaving together." "Just another hour," says Kara. Andrea stares at Kara and Daniel. "Well, we're leaving now," she says and walks away.

Ty returns with the drinks. Mike, the other roommate, is with him. Ty hands Daniel and Kara the drinks and when Kara isn't paying attention, asks Daniel, "Is it happening tonight?" Daniel laughs and says, "I don't know, man. I'm not sure she's into it." Ty responds, "She'll be up for it with a little more to drink. I made it a double."

Ty suggests a game of beer pong. Kara says that she's not feeling well and that she'll pass on the game. Ty taunts her until she gives in. Ty winks at Daniel and says, "You're welcome." By the end of the game, Kara is visibly intoxicated. She is slurring her speech, stumbling and unable to focus.

She tells Daniel that she's ready to go home. Ty says that she should just stay at the house tonight. "Daniel will take care of you." Kara turns to Daniel, "Are you sure?" He replies,

“Yeah, no problem. You can stay in my room.” Kara doesn’t need much convincing and asks Daniel to take her to his room. “I think I’m about to pass out,” she says. Daniel leads Kara down the hallway to his room. Mike passes the two of them. He notices that Kara is unable to walk on her own. “Is she going to be okay?” he asks Daniel. “Yeah, she’ll be fine. Just needs to sleep it off,” Daniel says.

When Daniel and Kara get to his room, she heads for the bed and he closes and locks the door. Daniel climbs into bed next to Kara and begins kissing her. She responds and they begin fooling around. Daniel removes Kara’s pants and begins to remove her underwear when she mumbles, “No.”

Daniel says, “Come on, it’s okay.” They resume kissing and touching. Daniel attempts to remove Kara’s underwear again and she says “Uh uh.” She pulls away and, instead, unbuttons Daniel’s pants and starts to perform oral sex on him.

Daniel stops her, maneuvers her onto the bed and pulls her underwear off. Kara squirms and whimpers, “No” but Daniel’s weight makes it hard to move. “Relax. Just relax, will you?” he repeats in her ear. Daniel has intercourse with Kara.

Kara and Daniel: What Do You Think?

A.

Rank the five characters from the most responsible for the events that occurred at the party (#1) to the least responsible (#5).

- 1. _____ most responsible
- 2. _____
- 3. _____
- 4. _____
- 5. _____ least responsible

.....

B.

Please circle the number that best conveys your feelings about each statement.

1 (strongly agree) 2 (agree) 3 (unsure) 4 (disagree) 5 (strongly disagree)

- 1 2 3 4 5 Kara and Daniel had consensual sex.
- 1 2 3 4 5 Daniel raped Kara.
- 1 2 3 4 5 Kara didn't mean it when she said "no."
- 1 2 3 4 5 Kara shouldn't have had anything to drink because it made her lose control of the situation.
- 1 2 3 4 5 Since Kara didn't scream or fight, she wasn't raped.
- 1 2 3 4 5 Daniel didn't know Kara didn't want to have sex.
- 1 2 3 4 5 Kara showed poor judgment.
- 1 2 3 4 5 Daniel was drunk and isn't responsible for his actions.
- 1 2 3 4 5 Daniel had to have sex since Kara had started with oral sex.

1 2 3 4 5 Someone who is drunk can give consent to have sex.

1 2 3 4 5 Ty is partly responsible for what happened.

1 2 3 4 5 Ty facilitated the rape.

.....

C.

What are some things Andrea, Kara's roommate, could have said or done differently to change the outcome?

1. _____

2. _____

3. _____

What are some things Mike, Daniel's roommate, could have said or done differently to change the outcome?

1. _____

2. _____

3. _____

3.B. SEXUAL COMMUNICATION

Supplies:

Sexual Communication worksheet
Pencils

Directions:

- 1) Distribute the Sexual Communication worksheet to all participants.
- 2) Ask participants to complete sections A and B of the worksheet. After several minutes, have participants share their responses.
- 3) Next, put participants into groups of 3-5. Allow them to work together to complete section C. *You may want to share some examples.*

Examples for C1:

- *Do you want to keep going?*
- *I think I have some condoms, should I go get them?*

Examples for C2:

- *I really like you, but I'm not ready to go any further.*
- *Hey, let's slow down.*

After they have discussed the questions with their groups, ask participants to share their responses with the class.

- 4) Ask participants to work with their small group members to come up with slogans promoting consent and/or communicating about sex and to complete section D as a group.

Examples include:

- *It's better to talk before you touch.*
- *Communication is your best defense.*

SEXUAL COMMUNICATION WORKSHEET

COMMUNICATING ABOUT SEX

Answer the following questions individually.

A. Nonverbal Communication

What are the advantages and disadvantages of relying on nonverbal communication related to sexual desires, expectations and limits?

Advantages: 1)

2)

3)

Disadvantages: 1)

2)

3)

B. Verbal Communication

What are the advantages and disadvantages of using verbal communication related to sexual desires, expectations and limits?

Advantages: 1)

2)

3)

Disadvantages: 1)

2)

3)

C. What Do You Say?

Pat and Chris know each other from class. After several weeks of talking and flirting, they went on a date tonight. After dinner, they go back to Chris's room. They begin to kiss on the couch.

Pat wants to be more intimate but isn't sure whether Chris is ready. What should Pat say or do?

Chris really likes Pat but isn't ready to be more intimate. What should Chris say or do?



D. Slogans

Working with your group, come up with as many “slogans” for consent and/or communicating about sex as you can.

Slogan 1): _____

Slogan 2): _____

Slogan 3): _____

3.C. A DATE: THE INTERIOR DIALOGUE

Supplies: A Date: The Interior Dialogue handout

Directions:

- 1) Ask for two volunteers to come to the front of the class to participate in a scripted dialogue between a man and a woman on date. *If you foresee a problem with two male participants playing the characters in the scene, you might want to read Woman's lines.*
- 2) Place two chairs back-to-back in the front of the room and ask each volunteer to take a seat.
- 3) Hand the volunteers a copy of A Date: The Interior Dialogue, assign roles and ask them to read the script aloud.

Discussion Questions:

- 1) ***Was this rape?***
Yes. Woman struggled and said “no” several times. Even though she did not scream, kick or scratch, her submission (after her exhaustion and numbness) does not mean she consented.
- 2) ***Were the two people in this Interior Dialogue communicating effectively about sex?***
No. They each had different expectations about how the evening would end but did not express their expectations to each other.
- 3) ***Whose responsibility was it to prevent/clear up any miscommunication?***
Many students may feel that it was Woman's responsibility to prevent miscommunication. Gender norms in our society dictate that women are the ones to set limits on sexual activities and that they are the ones to be held responsible when men overstep them. It is important to confront these beliefs. Women cannot be expected to be responsible for men's behavior. There were times during the scenario in which Man was aware of Woman's unease. It was his responsibility to find out from her how far she wanted to go and to be clear about his desires and expectations.
- 4) ***What role did alcohol play in this scenario?***
When intoxicated, people are less able to attend to multiple cues and instead tend to focus on the most prominent cues. Man was sexually attracted to Woman and, being intoxicated, it was easier for him to interpret her friendly cues as a sign of her desire to have sex with him and to ignore the cues that she did not want to have sex. In addition, Woman's intoxication may have made it more difficult to physically resist Man's advances.

5) *What were some of the emotions the woman was feeling during and after the rape?*

Numbness

Fear

Embarrassment

Guilt

Anger

Betrayal

Depression

A DATE: THE INTERIOR DIALOGUE

The following is part of an interior dialogue surrounding the events of a rape on a college campus.

Woman: He took me to a new ethnic restaurant I'd been dying to go to. It was really expensive but he paid for everything. We had a carafe of wine with dinner and we laughed continuously on the walk home.

Man: *We had a great dinner. It was expensive, but she was worth it. She's the first girl I've met this semester who could really make me laugh. We really hit it off.*

Woman: We just kind of ended up at his apartment. That was okay because I really wanted to spend more time with him anyway. There were a number of guys hanging out in the living room. He offered me more wine and poured each of us a glass. We sat down on the couch to talk with his friends and roommates and he put his arm around me. The guys were nice, but it was pretty loud and I really wanted to be alone with him, so I asked him if we could go someplace quieter to talk.

Man: *We went back to my apartment and a bunch of my friends and roommates were there. I was glad they got a chance to see her. She wanted some more to drink, so I got us both some wine. After a while we got restless and I was relieved when she asked to go to my room. As we got up to go to my room, one of my roommates slapped me on the butt and said, "Go for it, man!" I apologized to her for his crudeness. We laughed it off.*

Woman: We went up to his room and I looked around for a place to sit down. All the chairs and most of the other horizontal surfaces were covered with books, papers and dirty laundry. Although I didn't feel comfortable, I sat on his unmade bed. I felt embarrassed about asking him to move his stuff. We had brought the bottle of wine with us and he topped off my glass. He sat down next to me and kissed me. I relaxed again.

Man: *As soon as we got in the room, she sat on the bed. I felt very excited. I had been waiting for this all evening. I kissed her and she seemed to melt in my arms. It was apparent we both wanted the same thing. After we kissed for a while, I thought we both would want some privacy, so I got up to lock the door. She seemed slightly tense when I came back, so I kissed her again to ease her back into the mood.*

Woman: I was really enjoying kissing him, but when he got up to lock the door, I began to feel uncomfortable. I thought about saying something, but decided against it. I didn't want to spoil the wonderful evening we were having. I liked him and I wanted him to ask me out again. When he was kissing me again and holding me so gently, I was glad that I hadn't said anything.

Man: *She seemed to be enjoying herself and I could tell she really liked me. She looked great. I got very aroused kissing her and holding her close. I knew there was no turning back now. I started to unbutton her shirt.*

Woman: I was aroused, but I wasn't sure how far I wanted to go with him. When he started to unbutton my shirt, I felt unsure, but it felt nice and I decided to let him. I was feeling a little dizzy and giddy.

Man: *She seemed very receptive, so I decided to unbutton and take off her pants. She protested as I unbuttoned the first button, but didn't seem very serious. In fact, she was smiling. I felt she didn't want me to think she was too easy. I knew she would agree eventually. She was as excited as I was...I started to take my pants off.*

Woman: He started unbuttoning my pants. I knew I didn't want to go that far on our first evening together. I told him to stop. I tried to be nice about it because I felt bad about arousing him and then stopping, but I felt really uncomfortable. We fell back while we were kissing and he was on top of me. I couldn't move and I told him "no." I didn't want the guys in the other room to hear me.

Man: *I took her pants off after mine. She continued to protest, but I stopped listening after a while. She had sent me all the right signals before, so it didn't seem likely that she wanted to stop now. As I entered her, she started to struggle and cry. I wondered if it was her first time. As I neared orgasm, she stopped struggling but continued to cry. After I pulled out, I laid down beside her and fell asleep.*

Woman: Even though I said "no," he continued to pull my pants off. I couldn't stop him. I stopped worrying about what he would think and I said "no" louder over and over, but he wasn't listening to me. As he forced himself into me, I tried to push him off. I wanted to scream but all I could do was cry. I couldn't believe he was doing this to me. After a while, I was exhausted and numb and I stopped struggling. I just wanted it to end. After he was finished, he rolled off me and fell asleep. I was afraid to move. I didn't want to wake him up. I didn't want to have to see him or talk to him. Eventually, I put my clothes on and snuck out. I was terrified of running into his roommates on the way out. When I got home, I felt so dirty that I spent an hour crying in the shower.

Man: *When I woke up, she was gone. I wondered why she didn't say anything before she left. I thought we had a great time. When I called her a couple of days later, she hung up on me. Maybe I pushed things a little too far.*

Woman: This is possibly the worst thing that has ever happened to me. It's been weeks since the rape and I feel empty and depressed. I can't concentrate on my work. I can't have fun. I worry about a possible pregnancy or having to see him as I walk through campus. My friends are worried and ask me why I'm depressed, but I feel I could never tell them what has happened. I've even thought of killing myself.

(Adapted from dialogue developed by LeeAnn Borton and Kate Rudy, Cornell University Peer Educators, 1989)

3.D. THE UNDETECTED RAPIST

Supplies: TV and VCR
“The Undetected Rapist” video *

This video is a re-enactment of part of an interview conducted with a college student/rapist by Dr. David Lisak, Associate Professor of Psychology and Director of the Men's Sexual Trauma Research Center at the University of Massachusetts-Boston. In the interview, the rapist, who was never reported or prosecuted, callously describes how he planned and executed the rape of a young college student. It demonstrates how rapists plan their assaults and groom their victims.

Directions:

- 1) Cue the video to either the title shot or just before “Frank’s” interview.
- 2) Allow the video to play without comment. Stop the video after “Frank’s” interview. That segment of the video is approximately five minutes long.
- 3) Use the following talking points/questions to stimulate discussion.

Discussion Questions:

- 1) How does this video demonstrate the link between alcohol and sexual violence?
- 2) “Frank” refers to his “technique” to have sex with the women at parties. What are some of his techniques?
- 3) What are your reactions to the following quotes by “Frank?”
“I didn’t expect her to get into it right away.”
“She was so plastered she probably didn’t know what was going on anyway.”

Discussion Points:

- ⤴ “Frank” refers to women as “prey” and “targets.”
- ⤴ As evidence of his premeditation, “Frank” uses words such as “staked out,” “prepped,” “I had worked on her,” and “designated rooms.”
- ⤴ “Frank” sanitizes his violence. During the interview, he says that he put his arm across the woman’s chest, but what he actually demonstrates is his arm across her windpipe.
- ⤴ “Frank” feels anger instead of empathy toward the woman. She is struggling, probably confused and most likely afraid and he is “pissed” that she wasn’t going along with it.

- ⤴ What is clear from Dr. Lisak's research is that so-called "acquaintance rape" is not a pleasant evening gone bad because of too much alcohol. These undetected rapists plan and premeditate. They have a scheme for getting their victims into a secluded place where they will be vulnerable. Alcohol is part of this plan, intended to make the victim vulnerable and to disinhibit the rapist so he feels free to complete his assault.

Most college acquaintance rapists will rape again (Lisak and Miller, 2002). Dr. Lisak's research has documented the following: In one sample of 1,882 men, 120 men had committed 483 rapes of women they knew. *None of these rapes were ever reported.* Of these 120 rapists, 44 men committed a single act of rape; 76 men committed 439 rapes. **That is an average of nearly six rapes per rapist!**

* Produced by:
National Judicial Education Program
395 Hudson Street, 5th Floor
New York, NY 10014
215-925-6635
<http://www.legalmomentum.org>

3.E. THE SEXUAL VIOLENCE SPECTRUM

Supplies: Sexual Violence Spectrum handout
Pencils

Directions:

- 1) Hand each participant the Sexual Violence Spectrum handout and ask that they complete it independently.
- 2) After all participants have completed the worksheet, generate discussion by using the following discussion questions and talking points.

Discussion Questions:

- 1) How easy or difficult was it to put the different types of sexual violence “in order”?
 - It is difficult, if not impossible, to “rank” forms of sexual violence. No type of sexual violence is “worse” or “better” than another
 - Ultimately, only victims can decide for themselves the degree of offense and severity they have experienced.
 - No victim should ever be made to feel “less” or “more” of a victim than another.
- 2) Were you surprised by any of the “situations”? Did some types of sexual violence seem out of place?
 - Often, when people think of “sexual violence,” they think of rape – a physically violent assault by a stranger. Nine out of 10 times, the victim knows her perpetrator (Fisher, Cullen & Turner, 2000).

SEXUAL VIOLENCE SPECTRUM

Rank the following forms of sexual violence in order from most offensive to least offensive. 1 is “most offensive” and 20 is “least offensive.”

- ___ Having sex with someone who is passed out
- ___ Forced oral sex
- ___ Forcible rape
- ___ Stalking someone
- ___ Videotaping someone having sex without her/his consent or knowledge
- ___ Posting nude photos of someone on the Internet without their knowledge or consent
- ___ Grabbing/Pinching someone’s body parts
- ___ Catcalling passersby
- ___ Voyeurism/Peeping Tom
- ___ Making obscene phone calls
- ___ Requesting sexual favors in exchange for drinks/invitations to parties
- ___ Forced penetration of someone’s mouth, vagina or anus with an object
- ___ Getting someone drunk in order to have sex with her/him
- ___ Drugging someone in order to have sex
- ___ Forcing an intimate partner to have sex
- ___ Exposing children to pornography or sexual material
- ___ Requiring pledges to perform sexually as a hazing ritual
- ___ Giving a student a better grade in exchange for sex
- ___ Gang rape
- ___ Kissing someone without their consent

(Adapted from Men’s Group: A Curriculum for Helping Men Who Are Committed to Understanding and Ending Sexual Violence by Crime Victim Center of Erie County, Inc. © 2005)

3.F. ANONYMOUS REPORT FORM FOR SEXUAL ASSAULT

The purpose of this form is to collect relevant information about sexual assault that affects members of our community. This report is anonymous and should be completed by anyone who receives information about a sexual assault. The location and date of the assault are the coordinating pieces of information on this form. In order to protect confidentiality, a generic description of the location is acceptable rather than a room number. **Filling out this form will not result in an investigation.**

1. Date of report: _____

2. Date of assault: _____

Information About the Victim/Survivor

Circle appropriate responses

3. Sex: Male Female

4. Affiliation to University:

- Undergraduate student
- Graduate student
- Relative or friend of student
- High school student visiting campus
- Faculty
- Staff
- Student/Athlete
- Sorority/Fraternity member
- Not affiliated with University

5. Current Residence:

- On-campus residence
- Off-campus residence
- Greek housing
- Parent/Guardian
- Other

6. Previously raped during college: Yes No Don't Know

7. Previously raped before attending college: Yes No Don't Know

Information about the Perpetrator

Circle appropriate responses

8. Was there more than one perpetrator: Yes No

9. Was the perpetrator(s):

Boyfriend/girlfriend
Ex-boyfriend/girlfriend
Date
Dorm mate
Classmate
Friend
Acquaintance
Stranger

10. Sex of perpetrator: Male Female

11. Perpetrator's affiliation to University:

Undergraduate student
Graduate student
Relative or friend of student
High school student visiting campus
Faculty
Staff
Sorority/Fraternity member
Student/Athlete
Not affiliated with University

Information about the Assault

Circle appropriate responses

12. Type

Sexual Assault: Oral Vaginal Anal Other

Sexual Contact: Non-penetration Penetration

13. Location of assault

- Victim's on-campus residence room
- Perpetrator's on-campus residence room
- Victim's off-campus residence
- Perpetrator's off-campus residence
- University building
- University property (athletic field, outdoors, etc.)
- Fraternity house
- Other _____

14. What specific event preceded the assault, if any:

- Sorority/Fraternity party
- Intercollegiate athletic party or game
- College sponsored party
- Residence hall party
- Date
- Drinking at a bar
- Other _____

15. Time of assault: _____

16. Sought medical attention: Yes No

17. Reported to other agencies

- _____ Campus Security/Police
- _____ Local Police
- _____ Counseling Center
- _____ Health Services
- _____ Don't Know

3.G. SEXUAL ASSAULT RESPONSE PROTOCOL

This protocol checklist serves to outline the critical steps for staff members responding to a victim of sexual assault. The checklist serves both as a reminder to which you can refer in order to ensure that victims have been made aware of all available resources as well as a document recording actions taken by staff members. **Remember at all times the decisions remain in the victim's control. Note: West Virginia's complete protocol for responding to victims of sexual assault can be accessed at www.fris.org.**

Date each item when completed:

1. _____ **Confidentiality:** Explain the limits of confidentiality with the victim and that you are required to, as applicable:
 - a. Report the incident to your supervisor in strict confidence or make a mandatory report, if required.
 - b. File an Anonymous Sexual Assault Report form with Campus Security.
 - c. Inform student that no records of reports of sexual assault are kept in permanent academic records.

2. _____ **Immediate Counseling Support and Safety:** Inform the victim of immediate available support from campus and the local rape crisis center services. Provide the victim with appropriate phone numbers. Ask the victim if she/he has a safe place to go. If not, look into temporary housing or shelter options.

3. _____ **Medical Services:** Discuss available medical resources at the campus health center and local hospital with the victim. Inform the victim of how current decisions about a medical evaluation and treatment may affect other options later (a forensic examination is recommended if the student wants to pursue the case through the courts). Tell the victim that physical evidence should be gathered within 96 hours of the assault and recommend that they do not change clothes, douche, go to the bathroom or shower prior to the forensic medical exam. Even, if the victim has already done these things, the victim should not be discouraged from seeking medical care.

4. _____ **Hospital:** If the victim decides to go to the hospital, remind her/him to bring a change of clothing. If the victim has already changed clothing, ask him/her to place each piece of clothing into a separate paper bag to take with her/him to the hospital. Notify the emergency room before the victim leaves.

5. _____ **Reporting Options:** Inform the victim about options for reporting the incident. The victim may file an anonymous report form for information gathering purposes only. No investigation will ensue. The victim may choose to report through the campus judicial system. The victim can choose to file a report with Campus Security. The victim can also report the assault to the local police. Remind the victim that any reporting options are entirely her/his choice.

6. ____ **Academic Support:** If the victim is a current student of the school, offer academic support as needed and make appropriate referrals for issues such as rescheduling tests and other academic expectations. Provide information on course withdrawal and medical withdrawals.
7. ____ **Living Arrangements:** If the victim lives on campus, explain that changes in living arrangements can be accommodated to reduce chances of continuing contact between the victim and perpetrator.
8. ____ **Long-term Counseling Resources:** Give the victim a list of potential resources for support groups and individual counseling. Provide the victim with the contact information for the local rape crisis center for free and confidential counseling and support.
9. ____ **Disclosing Information to Others:** Discuss with the victim options for disclosing information about the sexual assault to family, friends and significant others who may provide a source of support.
10. ____ **Secondary Victims:** Assess if any secondary victims (e.g., roommates, witnesses, friends) were affected by the crisis and arrange for assistance and resources for them.
11. ____ **Follow-up:** If appropriate, arrange a follow-up meeting with the victim.

4. GLOSSARY

WEST VIRGINIA SEX CRIMES DEFINITIONS

§61-8B-1. Definition of terms.

1. “Forcible compulsion” means:
 - (a) Physical force that overcomes such earnest resistance as might reasonably be expected under the circumstances; or
 - (b) Threat or intimidation, expressed or implied, placing a person in fear of immediate death or bodily injury to himself or herself or another person or in fear that he or she or another person will be kidnapped; or
 - (c) Fear by a person under sixteen years of age caused by intimidation, expressed or implied, by another person who is at least four years older than the victim. For the purposes of this definition “resistance” includes physical resistance or any clear communication of the victim’s lack of consent.
2. “Married,” for the purposes of this article in addition to its legal meaning, includes persons living together as husband and wife regardless of the legal status of their relationship.
3. “Mentally defective” means that a person suffers from a mental disease or defect which renders that person incapable of appraising the nature of his or her conduct.
4. “Mentally incapacitated” means that a person is rendered temporarily incapable of appraising or controlling his or her conduct as a result of the influence of a controlled or intoxicating substance administered to that person without his or her consent or as a result of any other act committed upon that person without his or her consent.
5. “Physically helpless” means that a person is unconscious or for any reason is physically unable to communicate unwillingness to an act.
6. “Sexual contact” means any intentional touching, either directly or through clothing, of the breasts, buttocks, anus or of any part of the sex organs of another person or intentional touching of any part of another person’s body by the actor’s sex organs, where the victim is not married to the actor and the touching is done for the purpose of gratifying the sexual desire of either party.
7. “Sexual intercourse” means any act between persons involving penetration, however slight, of the female sex organ by the male sex organ or involving contact between the sex organs of one person and the mouth or anus of another person.
8. “Sexual intrusion” means any act between persons involving penetration, however slight, of the female sex organ or of the anus of any person by an object for the purpose of degrading or humiliating the person so penetrated or for gratifying the sexual desire of either party.

9. “Bodily injury” means substantial physical pain, illness or any impairment of physical condition.
10. “Serious bodily injury” means bodily injury which creates a substantial risk of death, which causes serious or prolonged disfigurement, prolonged impairment of health or prolonged loss or impairment of the function of any bodily organ.
11. “Deadly weapon” means any instrument, device or thing capable of inflicting death or serious bodily injury and designed or specially adapted for use as a weapon or possessed, carried or used as a weapon.
12. “Forensic medical examination” means an examination provided to a possible victim of a violation of the provisions of this article by medical personnel qualified to gather evidence of the violation in a manner suitable for use in a court of law, to include: An examination for physical trauma; a determination of penetration or force; a patient interview; and the collection and evaluation of other evidence that is potentially relevant to the determination that a violation of the provisions of this article occurred and to the determination of the identity of the perpetrator.

WEST VIRGINIA SEX CRIMES STATUTES

According to West Virginia law, **sexual abuse** occurs when a person subjects another person to sexual contact without their consent and that lack of consent is due to physical force, threat or intimidation. **Sexual assault** includes sexual intercourse and sexual intrusion.

Note: The laws cited below were current as of January, 2012 (www.legis.state.wv.us).

§61-8B-2. Lack of consent.

(a) Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without the consent of the victim.

(b) Lack of consent results from:

1. Forcible compulsion; or
2. Incapacity to consent; or
3. If the offense charged is sexual abuse, any circumstances in addition to the forcible compulsion or incapacity to consent in which the victim does not expressly or impliedly acquiesce in the actor’s conduct.

(c) A person is deemed incapable of consent when such person is:

1. Less than sixteen years old; or
2. Mentally defective; or
3. Mentally incapacitated; or
4. Physically helpless.

§61-8B-3. Sexual assault in the first degree.

(a) A person is guilty of sexual assault in the first degree when:

1. The person engages in sexual intercourse or sexual intrusion with another person and, in so doing:
 - (i) Inflicts serious bodily injury upon anyone; or
 - (ii) Employs a deadly weapon in the commission of the act; or
2. The person, being fourteen years old or more, engages in sexual intercourse or sexual intrusion with another person who is younger than twelve years old and is not married to that person.

(b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than fifteen nor more than thirty-five years or fined not less than one thousand dollars nor more than ten thousand dollars and imprisoned in a state correctional facility not less than fifteen nor more than thirty-five years.

(c) Notwithstanding the provisions of subsection (b) of this section, the penalty for any person violating the provisions of subsection (a) of this section who is eighteen years of age or older and whose victim is younger than twelve years of age, shall be imprisonment in a state correctional facility for not less than twenty-five (25) nor more than one hundred years and a fine of not less than five thousand dollars nor more than twenty-five thousand dollars.

§61-8B-4. Sexual assault in the second degree.

(a) A person is guilty of sexual assault in the second degree when:

1. Such person engages in sexual intercourse or sexual intrusion with another person without the person's consent and the lack of consent results from forcible compulsion; or
2. Such person engages in sexual intercourse or sexual intrusion with another person who is physically helpless.

(b) Any person who violates the provisions of this section shall be guilty of a felony and, upon conviction thereof, shall be imprisoned in the penitentiary not less than ten nor more than twenty-five years or fined not less than one thousand dollars nor more than ten thousand dollars and imprisoned in the penitentiary not less than ten nor more than twenty-five years.

§61-8B-5. Sexual assault in the third degree.

(a) A person is guilty of sexual assault in the third degree when:

1. The person engages in sexual intercourse or sexual intrusion with another person who is mentally defective or mentally incapacitated; or

2. The person, being sixteen years old or more, engages in sexual intercourse or sexual intrusion with another person who is less than sixteen years old and who is at least four years younger than the defendant and is not married to the defendant.

(b) Any person violating the provisions of this section is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than one year nor more than five years or fined not more than ten thousand dollars and imprisoned in a state correctional facility not less than one year nor more than five years.

§61-8B-7. Sexual abuse in the first degree.

(a) A person is guilty of sexual abuse in the first degree when:

1. Such person subjects another person to sexual contact without their consent and the lack of consent results from forcible compulsion; or
2. Such person subjects another person to sexual contact who is physically helpless; or
3. Such person, being fourteen years old or more, subjects another person to sexual contact who is younger than twelve years old.

(b) Any person who violates the provisions of this section shall be guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility not less than one year nor more than five years or fined not more than ten thousand dollars and imprisoned in a state correctional facility not less than one year nor more than five years.

(c) Notwithstanding the provisions of subsection (b) of this section, the penalty for any person violating the provisions of subsection (a) of this section who is eighteen years of age or older and whose victim is younger than twelve years of age, shall be imprisonment for not less than five nor more than twenty-five years and fined not less than one thousand dollars nor more than five thousand dollars.

§61-8B-8. Sexual abuse in the second degree.

(a) A person is guilty of sexual abuse in the second degree when such person subjects another person to sexual contact who is mentally defective or mentally incapacitated.

(b) Any person who violates the provisions of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be confined in the county jail not more than twelve months or fined not more than five hundred dollars and confined in the regional jail not more than twelve months.

§61-8B-9. Sexual abuse in the third degree.

(a) A person is guilty of sexual abuse in the third degree when he subjects another person to sexual contact without the latter's consent, when such lack of consent is due to the victim's incapacity to consent by reason of being less than sixteen years old.

(b) In any prosecution under this section it is a defense that:

1. The defendant was less than sixteen years old; or
2. The defendant was less than four years older than the victim.

(c) Any person who violates the provisions of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be confined in the county jail not more than ninety days or fined not more than five hundred dollars and confined in the county jail not more than ninety days.

RELATED SEXUAL ASSAULT STATUTES

Note: The laws cited below were current as of April, 2011 (www.legis.state.wv.us).

Forensic Medical Examination Payment for Costs

CHAPTER 61 Crimes and Their Punishment

Article 8B Sexual Offenses

§61-8B-16. Payment for costs of forensic medical examination.

(a) When any person alleges that he or she has been the victim of an offense proscribed by this article, the West Virginia prosecuting attorneys institute shall pay to a licensed medical facility from the forensic medical examination fund the cost of the forensic medical examination for the alleged victim on the following conditions and in the following manner:

(1) The payment shall cover all reasonable, customary and usual costs of the forensic medical examination;

(2) The costs of additional non-forensic procedures performed by the licensed medical facility, including, but not limited to, prophylactic treatment, treatment of injuries, testing for pregnancy and testing for sexually transmitted diseases, may not be paid from the fund: *Provided*, That nothing in this section shall be construed to prohibit a licensed medical facility from seeking payment for services referred to in this subdivision from the alleged victim or his or her insurer, if any;

(3) The forensic medical examination must have been conducted within a reasonable time of the alleged violation;

(4) The licensed medical facility must apply for payment of the costs of a forensic medical examination from the fund within a reasonable time of the examination;

(5) The licensed medical facility shall certify that the forensic medical examination was performed and may submit a statement of charges to the West Virginia Prosecuting Attorneys Institute for payment from the fund.

(b) No licensed medical facility may collect the costs of a forensic medical examination from the alleged victim of a violation of this article or from the alleged victim's insurance coverage, if any.

(c) Nothing in this section shall be construed to require an alleged victim of sexual assault to participate in the criminal justice system or to cooperate with law enforcement in order to be provided a forensic medical examination pursuant to the provisions of this section.

WEST VIRGINIA STALKING LAWS

West Virginia Code §61-2-9a:

Addresses stalking, harassment, penalties and definitions. (The code was amended in 2008.)

Subsection (a) Any person who repeatedly follows another knowing or having reason to know that the conduct causes the person followed to reasonably fear for his or her safety or suffer significant emotional distress, is guilty of a misdemeanor and, upon conviction thereof, shall be incarcerated in the county or regional jail for not more than six months or fined not more than one thousand dollars or both.

Subsection (b) Any person who repeatedly harasses or repeatedly makes credible threats against another is guilty of a misdemeanor and, upon conviction thereof, shall be incarcerated in the county or regional jail for not more than six months or fined not more than one thousand dollars or both.

Subsection (c) Notwithstanding any provision of this code to the contrary, any person who violates the provisions of subsection (a) or (b) of this section in violation of an order entered by a circuit court, magistrate court or family court judge, in effect and entered pursuant to part 48-5-501, et seq., part 48-5-601, et seq. or 48-27-403 of this code is guilty of a misdemeanor and, upon conviction thereof, shall be incarcerated in the county jail for not less than ninety days nor more than one year or fined not less than two thousand dollars nor more than five thousand dollars or both.

Subsection (d) A second or subsequent conviction for a violation of this section occurring within five years of a prior conviction is a felony punishable by incarceration in a state correctional facility for not less than one year nor more than five years or fined not less than three thousand dollars nor more than ten thousand dollars or both.

Subsection (e) Notwithstanding any provision of this code to the contrary, any person against whom a protective order for injunctive relief is in effect pursuant to the provisions of section five hundred one, article twenty-seven, chapter forty-eight of this code who has been served with a copy of said order or section six hundred eight, article five, chapter forty-eight of this code who is convicted of a violation of the provisions of this section shall be guilty of a felony and punishable by incarceration in a state correctional facility for not less than one year nor more than five years or fined not less than three thousand dollars nor more than ten thousand dollars or both.

Subsection (f) for the purposes of this section:

(1) "Bodily injury" means substantial physical pain, illness or any impairment of physical condition;

(2) "Credible threat" means a threat of bodily injury made with the apparent ability to carry out the threat and with the result that a reasonable person would believe that the threat could be carried out;

(3) "Harasses" means willful conduct directed at a specific person or persons which would cause a reasonable person mental injury or emotional distress

(4) "Immediate family" means a spouse, parent, stepparent, mother-in-law, father-in-law, stepchild, sibling or any person who regularly resides in the household or within the prior six months regularly resided in the household; and

(5) "Repeatedly" means on two or more occasions.

(g) Nothing in this section shall be construed to prevent lawful assembly and petition for the lawful redress of grievances, including, but not limited to: Any labor or employment relations issue; demonstration at the seat of federal, state, county or municipal government; activities protected by the West Virginia constitution or the United States Constitution or any statute of this state or the United States.

(h) Any person convicted under the provisions of this section who is granted probation or for whom execution or imposition of a sentence or incarceration is suspended is to have as a condition of probation or suspension of sentence that he or she participates in counseling or medical treatment as directed by the court.

(i) Upon conviction, the court may issue an order restraining the defendant from any contact with the victim for a period not to exceed ten years. The length of any restraining order shall be based upon the seriousness of the violation before the court, the probability of future violations and the safety of the victim or his or her immediate family. The duration of the restraining order may be longer than five years only in cases when a longer duration is necessary to protect the safety of the victim or his or her immediate family.

(j) It is a condition of bond for any person accused of the offense described in this section that the person is to have no contact, direct or indirect, verbal or physical, with the alleged victim.

(k) Nothing in this section may be construed to preclude a sentencing court from exercising its power to impose home confinement with electronic monitoring as an alternative sentence.

(l) The Governor's Committee on Crime, Delinquency and Correction, after consultation with representatives of labor, licensed domestic violence programs and rape crisis centers which meet the standards of the West Virginia Foundation for Rape Information and Services, is authorized to promulgate legislative rules and emergency rules pursuant to article three, chapter twenty-nine-a of this code, establishing appropriate standards for the enforcement of this section by state, county and municipal law-enforcement officers and agencies.

CYBERSTALKING LAWS

§61-3C-14a. Obscene, anonymous, harassing and threatening communications by computer, cell phones and electronic communication devices; penalty.

- (A) It is unlawful for any person, with the intent to harass or abuse another person, to use a computer, mobile phone, personal digital assistant or other electronic communication device to:
- (1) Make contact with another without disclosing his or her identity with the intent to harass or abuse;
 - (2) Make contact with a person after being requested by the person to desist from contacting them;
 - (3) Threaten to commit a crime against any person or property; or
 - (4) Cause obscene material to be delivered or transmitted to a specific person after being requested to desist from sending such material.
- (B) For purposes of this section:
- (1) "Electronic communication device" means and includes a telephone, wireless phone, computer, pager or any other electronic or wireless device which is capable of transmitting a document, image, voice, e-mail or text message using such device in an electronic, digital or analog form from one person or location so it may be viewed or received by another person or persons at other locations.
 - (2) "use of a computer, mobile phone, personal digital assistant or other electronic communication device" includes, but is not limited to, the transmission of text messages, electronic mail, photographs, videos, images or other nonvoice data by means of an electronic communication system, and includes the transmission of such data, documents, messages and images to another's computer, e-mail account, mobile phone, personal digital assistant or other electronic communication device.
 - (3) "obscene material" means material that:
 - (a) An average person, applying contemporary adult community standards, would find, taken as a whole, appeals to the prurient interest, is intended to appeal to the prurient interest, or is pandered to a prurient interest;
 - (b) An average person, applying contemporary adult community standards, would find, depicts or describes, in a patently offensive way, sexually explicit conduct consisting of an ultimate sexual act, normal or perverted, actual or simulated, an excretory function, masturbation, lewd exhibition of the genitals, or sadomasochistic sexual abuse; and
 - (c) A reasonable person would find, taken as a whole, lacks literary, artistic, political or scientific value.
- (C) It is unlawful for any person to knowingly permit a computer, mobile phone or personal digital assistant or other electronic communication device under his or her control to be used for any purpose prohibited by this section.
- (D) Any offense committed under this section may be determined to have occurred at the place at which the contact originated or the place at which the contact was received or intended to be received.
- (E) Any person who violates a provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500 or confined in jail not more than six months, or both fined and confined. For a second or subsequent offense, the person is

guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000 or confined in jail for not more than one year, or both fined and confined.

§61-3C-14b. Soliciting, etc. a minor via computer; penalty.

Any person over the age of eighteen, who knowingly uses a computer to solicit, entice, seduce or lure, or attempt to solicit, entice, seduce or lure, a minor known or believed to be at least four years younger than the person using the computer or a person he or she believes to be such a minor, to commit any illegal act proscribed by the provisions of article eight, eight-b, eight-c or eight-d of this chapter, or any felony offense under section four hundred one, article four, chapter sixty-a of this code, is guilty of a felony and, upon conviction thereof, shall be fined not more than five thousand dollars or imprisoned in a state correctional facility not less than two nor more than ten years, or both.

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