

Module 3: Realities of Sexual Assault

Purpose

This module examines the realities of sexual assault, allowing you to deepen your understanding of the problem.

Lessons

- Incidence and Prevalence of Sexual Assault.
- Myths and Facts about Rape.

Learning Objectives

By the end of this module, you will be able to

- Correctly answer at least two questions about the incidence and prevalence of sexual assault in the United States.
- Identify at least one factor contributing to the underreporting of rape.
- List at least two myths and two facts about rape.

Incidence and Prevalence of Sexual Assault

Q: How many women report to law enforcement being forcibly raped in the United States in a given year?

A:

Q: For every woman who is raped and reports her rape to law enforcement, what is the estimate of the number who are raped and *do not* report their rapes to law enforcement?

A:

Q: When a victim knows her assailant, is she more or less likely to report the rape to the police?

A:

Q: What is the number one reason victims give for not wanting to report rape?

A:

Q: Under what circumstances can law enforcement determine a rape case to be “unfounded”?

A:

Q: When is a rape case generally considered “cleared” by law enforcement?

A:

Q: What percentage of rape cases are cleared?

A:

Facts About Incidence and Prevalence of Sexual Assault

Violence is a part of American life. More Americans died of gunshot wounds between 1994 and 1996 than were killed during the Vietnam War (Becker, 1997). We are also a rape-prone society, and women are disproportionately burdened by the threat of sexual assault.

A random sample of 930 women in San Francisco found a staggering 46 percent probability that a woman will be raped in her lifetime (Russell and Howell, 1983). The 2004 Uniform Crime Reports indicates that 94,635 women reported being forcibly raped in the United States in 2004. This represents an increase of 4.9 percent from 2000, when 90,186 women reported a sexual assault. Sixty-three of every 100,000 women in the United States were the victims of a forcible rape and reported the crime to the police in 2000, an increase of less than 1 percent from 1999. This represented the first increase in reported sexual assaults since 1992. The 2004 Uniform Crime Reports statistics are the most current and up to date. However, 2005 statistics are available from January to December, with the preliminary data showing that there was an overall 1.9 percent decrease in forcible rapes from 2004 to 2005.

More rapes were reported in large metropolitan areas, where the rate was 64.4 victims per 100,000 population, compared with 47.7 per 100,000 in nonmetropolitan counties. Geographically, of the forcible rapes reported in 2004, 38.2 percent occurred in the most

heavily populated southern states, 25.3 percent in the midwestern states, 23.6 percent in the western states, and 12.9 percent in the northeastern states. The 2-year trend indicates that forcible rape increased slightly in the midwest and the south, 0.7 percent and 1.3 percent, respectively, while it decreased in the northeast and the west, 2.9 percent and 1.7 percent, respectively.

This increase may represent an actual increase in crime or may be the result of better community education, service availability, and improved reporting. For every woman who reports, it is estimated that an additional 4 to 15 are raped but do not report (Hanson and Gidycz, 1993; Koss, Gidycz, and Wisniewski, 1987). In one program, more than 20 percent of rape victims were uncertain about whether to report when they first came to the emergency department (ED); however, discussing their fears and concerns with a knowledgeable Sexual Assault Nurse Examiner (SANE) led all but 5 percent of the survivors to decide to report (Ledray, 1992a).

It is also important to note that the FBI Uniform Crime Reporting System is currently being challenged by the Women's Law Project, which believes the definitions of rape used by the FBI are too narrow and restrictive. They argue this results in a significant under-reporting of the actual problem (Tracy, Froms, and Else, 2001).

In an attempt to correct prior inadequate methods of measuring sexual assault incidence and prevalence, Koss and colleagues surveyed a sample of 6,159 college men and women from 32 institutions across the United States (Koss, Gidycz, and Wisniewski, 1987). They found that since age 14, 24 percent of the women reported being sexually assaulted, 25 percent of the men admitted to aggressive sexual behavior, and 8 percent of the men admitted to perpetrating an act that met the definition of sexual assault. They also found that none of the men who committed these sexual assaults had been reported or involved in the courts and were not included in FBI national crime statistics. They concluded that the actual rate of sexual assault was 10 to 15 times greater than reported, even though they recognized that sexual assault rates are three times higher for college women than women in the general population.

This study attracted great public interest and concern, not only because of the prevalence of sexual assault that had been identified, but because so many male college students admitted to perpetrating

rape yet did not label the forced sex as “rape” nor consider themselves rapists. In addition, 35 percent of the males surveyed admitted that they would rape if they thought they could get away with it. Equally alarming, in a survey of high school students, 56 percent of the girls and 76 percent of the boys believed forced sex was acceptable under some circumstances (White and Humphrey, 1991). Similar results were obtained in an earlier survey of 432 adolescents. Fifty-six percent of the girls and 73 percent of the boys believed that force was an acceptable way to get sex under any circumstances (Goodchilds et al., 1988).

Stranger versus Acquaintance Rapes

Community surveys consistently conclude that the better a victim knows her assailant, the less likely she is to report the rape to the police (Ledray, 1994). As Koss and colleagues (1988), Ledray (1994), and others point out, this is often a function of several factors. The victim of a date rape is less likely to label the forced sex as “rape” and more likely to blame herself for trusting the assailant or placing herself in a vulnerable position with him. Additionally, she is more likely to fear that her friends and family will blame her, especially when alcohol was involved. Drugs and alcohol also are more likely to be involved in acquaintance or date rapes than stranger rapes.

Moreover, there is usually less need for force and less violence involved, so fewer physical injuries result, and weapons are less likely to be used (Bownes, O’Gorman, and Saters, 1991; Koss and Harvey, 1991).

Estimates of the likelihood of a woman being raped by a stranger rather than someone she knows vary greatly from study to study. Petrak and Claydon (1995) report in a study of 351 medical patients that 50 percent of men and 24 percent of women reported being raped by a stranger, of which approximately 1 out of 10 of these men and 1 out of 4 of these women had reported the rape to the police.

The report *Rape in America* (Kilpatrick, Edmunds, and Seymour, 1992) disclosed similar results, finding that only 22 percent of a national sample of 714 women had been raped by a stranger. Ullman and Siegel (1993) report that 15 percent of 1,651 individuals had been sexually assaulted as adults—only 21 percent

of these by a stranger and 79 percent by someone they knew. They also found that reporting was more often done in stranger rapes. They suggested that the victim blamed herself more and experienced more shame and humiliation when she was raped by someone she knew, especially by a partner, and was thus less likely to report the rape to the police or to seek help. Goodman and colleagues (1993) found the same trend, with 33 percent of the victims reporting stranger rape compared with only 13 percent reporting acquaintance rape, even though 80 percent of the college sample was raped by an acquaintance.

Ullman and Siegel also identified a curvilinear relationship between the use of weapons and physical injury and the relationship of the woman to her assailant. They found that the use of weapons and physical injuries were more common in stranger rapes than in rapes by spouses or individuals with whom the women had intimate relationships. However, spousal rape may be treated differently than other forms of rape in a jurisdiction's laws. For example, there may be a shorter reporting period or a requirement of use of weapons or force to commit the rape.

In a much smaller college sample, Santello and Leitenberg (1993) found that 27 percent of the 401 female students studied had been raped after age 16. Of these, only 4 percent were raped by a stranger, with the remainder raped by someone they knew. Only 5 percent had reported to the police or sought help. In a sample of 489 rape victims, 70 percent of women who were raped by a stranger reported telling someone about the rape, compared with only 40 percent of the women raped by someone they knew (Koss et al., 1988).

“Unfounded” Rapes

As with all Crime Index Offenses, reports of forcible rape are sometimes considered unfounded by law enforcement and thus are excluded from the crime count. Interestingly, the rate of “unfounded” cases is higher for rape than for any other index crime. In 2001, 5.7 percent of forcible rapes were determined by law enforcement to be unfounded, compared with 1.4 percent of all index crimes (Uniform Crime Reports, 2001). The assumption by some is that all unfounded cases are false reports, deceitfully reported when no rape occurred. This is not necessarily the case.

Cases can be “unfounded” for a variety of reasons, including an inability to locate the victim, the victim’s decision not to follow through with prosecution, apparent inconsistencies in the victim’s account of the rape, an inability to identify an assailant, and a variety of other factors that can impede or prevent completion of an investigation (Aiken, 1993). Unfortunately, not every investigator or prosecutor distinguishes between a victim “changing her story” and the legitimate recall of additional data or different aspects of the same story. When a person recants, it can be difficult to tell whether the original charge was indeed false or whether the victim has recanted out of fear of reprisal. The No. 1 reason victims give for not wanting to report is fear of the assailant, who in 76 percent of the cases left with the parting words, “If you tell anyone . . . (or report to the police), I’ll come back and kill you . . . rape you again . . . rape your child” (Ledray, 1996).

Victims who do report can be devastated when their case is determined to be unfounded. For obvious reasons they feel discounted. It is essential to help them understand that their case may be determined to be unfounded simply because of a lack of evidence, not because law enforcement does not believe they were raped.

In the 2004 Uniform Crime Reports, the law enforcement response section focuses on clearance rates. Rape is considered cleared if a suspect is arrested, if the police identify a suspect but decide not to arrest, or if the assault is determined to be unfounded. Nonmetropolitan counties cleared 45.8 percent, suburban communities cleared 44.3 percent, and the Nation’s cities cleared 40.1 percent. In 2004, 26,066 people were arrested for forcible rape. From 2003 to 2004, arrests increased 6.4 percent in nonmetropolitan counties and declined 1.5 percent in the suburban areas and 5.2 percent in cities. The 10-year trend, 1995–2004, indicates a 17.6 percent decrease in arrests for rape nationwide (Uniform Crime Reports, 2004).

Myths and Facts About Rape

Myth: Rape is most often perpetrated by a stranger.

Fact: A woman is statistically more likely to be raped by someone she knows.

Myth: If there was no penetration by a penis, then there was no rape.

Fact: Legal definitions of rape vary by state. For the purposes of this training, rape is defined as penetration with a penis, fingers and/or foreign objects, or unwanted touching of the sexual body parts without penetration.

Myth: Women cannot be raped by their husbands or partners.

Fact: Women are raped by their husbands or partners. Rape is often used as a tool of control, especially if the husband batters his wife or feels he is entitled to sexual intercourse despite his wife's wants or needs.

Myth: Prostitutes cannot be raped.

Fact: Prostitutes can be and often are raped by "johns," the customers who solicit sex from them, and by "pimps," the men who often are in charge of the prostitute's income. Often pimps control women by supplying drugs or through physical threats or force.

Myth: Strangers represent the greatest threat to children.

Fact: In 90 percent of the rapes of children younger than age 12, the child knew the offender (Bureau of Justice Statistics, 1997). Often, a perpetrator will spend time "grooming" the child and his or her family by doing favors and providing assistance emotionally and physically. This is done to win the family's trust, which makes it harder for them to believe the child and decreases suspicion of the perpetrator.

Myth: Only young women are raped.

Fact: Elderly women can be and are raped. Because of such myths, elderly women often do not come forward when they are sexually assaulted. There is a high level of shame and fear that they have lost the ability to care for themselves. In addition, the perpetrator could be someone who comes into her home to provide care for the woman, and she may be afraid for her life or that her care will be taken away.

Myth: Rape cannot happen in same-gender relationships.

Fact: Rape can occur in same-gender relationships as well as in heterosexual relationships.

Myth: Men cannot be raped.

Fact: Although men are less likely to report because of societal pressures, men can be and are raped by other men and by women.

Myth: If a woman drinks with a man, goes home with him, or wears skimpy clothing, it is her fault if she is raped.

Fact: It is never her fault. No one asks or deserves to be raped. Rape is a violent attack and a crime in which the perpetrator controls the victim.

Make your own notes below about other myths and facts about rape

Module 3 References

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Module 3: Realities of Sexual Assault

Purpose

This module examines the realities of sexual assault, allowing you to deepen your understanding of the problem.

Module 3 Objectives

By the end of this module, you will be able to

- Correctly answer at least two questions about the incidence and prevalence of sexual assault in the United States.
- Identify at least one factor contributing to underreporting of rape.
- List at least two myths and two facts about rape.

Friendly Competition Activity

 **OVC**
Office of Justice Programs
U.S. Department of Justice

Q: How many women report to law enforcement being forcibly raped in the United States in a given year?

Module 3 4



 **OVC**
Office of Justice Programs
U.S. Department of Justice

Q: How many women report to law enforcement being forcibly raped in the United States in a given year?

- 94,635 women reported being raped in 2004, according to the FBI's 2004 Uniform Crime Reports.

Module 3 5



 **OVC**
Office of Justice Programs
U.S. Department of Justice

Q: For every woman who is raped and reports her rape to law enforcement, what is the estimate of the number who are raped and do not report their rapes to law enforcement?

Module 3 6



 **OVC**
Office of Justice Programs
U.S. Department of Justice

Q: For every woman who is raped and reports her rape to law enforcement, what is the estimate of the number who are raped and do not report their rapes to law enforcement?

- An additional 4 to 15.

 **TTAC**

Module 3 7

 **OVC**
Office of Justice Programs
U.S. Department of Justice

Q: When a victim knows her assailant, is she more or less likely to report the rape to police?

 **TTAC**

Module 3 8

 **OVC**
Office of Justice Programs
U.S. Department of Justice

Q: When a victim knows her assailant, is she more or less likely to report the rape to the police?

- Less likely due to self-blame and fear that her friends and family will blame her; and less likely if drugs and alcohol are involved.

 **TTAC**

Module 3 9

 **OVC**
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U.S. Department of Justice

Q: What is the number one reason victims give for not wanting to report?

 **TfAC**

Module 3 10

 **OVC**
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U.S. Department of Justice

Q: What is the number one reason victims give for not wanting to report?

- Fear of the assailant, who may threaten, "If you tell anyone (or report to the police), I'll come back and kill you . . . rape you again . . . rape your child," according to a study by Dr. Linda Ledray, a leading expert on sexual assault (Ledray 1996).

 **TfAC**

Module 3 11

 **OVC**
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U.S. Department of Justice

Q: Under what circumstances can law enforcement determine that a rape case is "unfounded"?

 **TfAC**

Module 3 12

Q: Under what circumstances can law enforcement determine that a rape case is "unfounded"?

- For a variety of reasons, including an inability to locate the victim, a victim's decision not to prosecute, apparent inconsistencies in the victim's account, an inability to identify an assailant, and a lack of evidence.

Q: When is a rape case generally considered "cleared" by law enforcement?

Q: When is a rape case generally considered "cleared" by law enforcement?

- If a suspect is arrested, if the police identify a suspect but decide not to arrest, or if the assault is "unfounded."

 **OVC**
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Q: What percentage of rape cases was cleared in 2004?

 TTAC

Module 3 16

 **OVC**
Office of Justice Programs

Q: What percentage of rape cases was cleared in 2004?

- Approximately half, according to the FBI's 2004 Uniform Crime Reports. In 2004, nonmetropolitan counties cleared 45.8 percent, suburban communities cleared 44.3 percent, and the Nation's cities cleared 40.1 percent.

 TTAC

Module 3 17

 **OVC**
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Guided Notetaking Activity

Participant's materials,
pages III-2 through III-3

 TTAC

Module 3 18

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Myth or Fact Activity

Participant's materials,
pages III-8 through III-9

 **TTAC**

Module 3 19

 **OVC**
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U.S. Department of Justice

Myth: Rape is most often perpetrated by a stranger.

Fact:
A woman is statistically more likely to be raped by someone she knows.

 **TTAC**

Module 3 20

 **OVC**
Office of Justice Programs
U.S. Department of Justice

Myth: If there was no penetration by a penis, then there was no rape.

Fact:
Legal definitions of rape vary by state. For this training, rape = penetration with a penis, fingers, and/or foreign objects or unwanted touching of sexual body parts without penetration.

 **TTAC**

Module 3 21

Myth: Women cannot be raped by their husbands/partners.

Fact:

Women are raped by their husbands or partners.

Myth: Prostitutes cannot be raped.

Fact:

Prostitutes can be and often are raped by "johns" and by "pimps."

Myth: Strangers represent the greatest threat to children.

Fact:

In 90 percent of the rapes of children younger than age 12, the child knew the offender.


Myth: Rape only happens to young women.

Fact:
Elderly women can be and are raped.


Module 3 25


Myth: Rape cannot happen in same-gender relationships.

Fact:
Rape can occur in same-gender relationships as well as in heterosexual relationships.


Module 3 26


Myth: Men cannot be raped.

Fact:
Although men are less likely to report, men can be and are raped by other men and by women.


Module 3 27

 **OVC**
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Myth: If a woman drinks with a man, goes home with him, or wears skimpy clothing, it is her fault if she is raped.

Fact:
It is never her fault. No one asks or deserves to be raped. Rape is a violent attack and a crime in which the perpetrator controls the victim.

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Module 3 28

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Module 3

Questions or comments?

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Module 3 29

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Activity: Quiz

Handout

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Module 3 30
