

■ The Facts about Sexual Violence

Sexual Violence Defined

Sexual violence includes a wide array of non-consensual sexual activities, which may be perpetrated by partners, friends, family, acquaintances, or strangers. Consent is commonly recognized as approval or agreement given without force or coercion. One's ability to consent is affected by age, disability, self-induced or forced intoxication of alcohol or drugs, and language barriers. Legal minors are unable to consent, as may be others who are incapacitated. Sexual violence victims represent a range of ages, but the focus of this article is adults and adolescents. Sexual violence may include but is not limited to:

Sexual Assault

- Unwanted oral, anal, and vaginal penetration by penis, hand, finger, or other foreign object that is attempted or completed; commonly known as rape
- Unwanted contact between the mouth and penis, vulva, or anus
- Unwanted sexual touching, both above and underneath clothing
- Forcing an individual to masturbate or masturbate another party
- Physical sexual acts forced through threats of violence or coercion
- Sexual abuse is a term commonly used when discussing sexual assault, and refers to a series of repeated acts

Sexual victimization also includes non-contact acts which may include:

Exhibitionism

- Compulsion to reveal a body part, often one's genitals, to an unsuspecting stranger

Voyeurism

- Sexual interest in spying on people engaged in private, personal behaviors; for example undressing, urinating, or engaging in sexual activity
- Voyeuristic behaviors are criminal acts, while interest is not

Sexual Photography

- Taking photographs of a sexual nature without the consent of the subject(s)
- Public display of images taken in a private context without the subject's consent

Additionally, the spectrum of sexual violence includes forms of violence which are subject to civil law.

Sexual Harassment

- Unwelcome sexual advances
- Requests for sexual favors
- Inappropriate sexual comments
- Any hostile environment (workplace, school, etc.) where sexual joking, viewing of pornography, and/or degrading images are present

What We Know about Sexual Violence

While sexual violence encompasses a wide array of crimes, the most is known about rape and

sexual assault. Definitions of rape vary based on state law. A definition used in the National Violence Against Women Survey (NVAWS) defined rape as “an event that occurred without the victim’s consent that involved the use or threat of force in vaginal, anal, or oral intercourse.”¹ This definition encompasses both attempted and completed acts. However, victims who were unable to consent because of incapacitation due to drugs or alcohol may not define their experience as rape under this definition.

According to the NVAWS, rape is a crime committed against both men and women. However, most victims are female and most perpetrators are male.² The NVAWS found that 17.6% of women and 3% of men reported being raped at some point in their lifetime.³

The 2006 National Crime Victimization Survey (NCVS) counted 260,940 acts of rape, attempted rape, and sexual assault.⁴ Of these victims, 10.7% were male compared with 89.3% female.⁵ Of reported rape victims in the NVAWS, 5.5% were male compared with 94.5% female.⁶

The NCVS also found that of the attempted or completed rapes and sexual assaults of adults reported in 2006, approximately 38% were perpetrated by strangers, while 62% were perpetrated by someone known to the victim.⁷ The NCVS also found that 48% of male victims and 64% of female victims knew their offender.⁸ Among rape victims only, the NVAWS survey found that only 16.7% of female and 22.8% of male victims were raped by strangers.⁹

Despite differences in methodology and the time since data collection, both the NCVS and the NVAWS “revea[] conclusively that women are most likely to be raped and physically assaulted by people they know and often love.”¹⁰

Not all victims of sexual violence report their victimization to law enforcement, yet more may respond to anonymous surveys. According to the NVAWS, only 1 in 5 women studied reported their rape to law enforcement. “Fear of their rapist, embarrassment, and not considering their rape a crime or police matter were the primary reasons women chose not to report their victim-

ization to the police.”¹¹

Sexual Violence and Specific Populations

Youth and Young Adults: The Centers for Disease Control and Prevention (CDC) found that 8% of high school students surveyed nationwide reported having been forced to have sex. “Females (11%) were more likely to report having been forced to have sex than males (4%).”¹² The NVAWS found that 54% of the survivors participating in the survey were younger than age 18 when they experienced their first completed, or attempted, rape.¹³

Women between the ages of 16-24 experience rape at rates four times higher than the rate for all women.¹⁴ Further, the 2000 Sexual Victimization of College Women study estimated that 25 percent of college women had been the victims of attempted or completed rape since age 14.¹⁵

Elders: Data from the National Crime Victimization Survey of 2000 identified 3,270 of 261,000 rapes and sexual assaults were victims’ age 65 or older,¹⁶ but this number is likely low. Estimates suggest only 30% of elder sexual abuse is reported to police.¹⁷ Elder sexual abuse occurs in both domestic and institutional environments, at the hands of family and friends, or caregivers.

Lesbian, Gay, Bisexual, and Transgender (LGBT): Population studies of LGBT sexual violence are minimal. Limited quantitative data exists. In its 2008 report, the National Coalition of Anti-Violence Programs reported the number of LGBT sexual assault reports increased 61% from the previous year.¹⁸ Self-identified LGBT people are victimized by partners, friends, and strangers of the same or opposite sex. Victimization may also occur as a hate crime.

Intimate Partners: The NVAWS found that of women who have been raped, 20.2% were raped by a spouse or ex-spouse, and an additional 4.3% were raped by a current or previous cohabitating partner.¹⁹ “Husbands often rape their wives when they are asleep, or use coer-

cion, verbal threats, physical violence, or weapons to force their wives to have sex.”²⁰ Women who are victims of marital rape are “likely to experience multiple assaults and often suffer severe long-term physical and emotional consequences.”²¹ It is important to note that marital rape may co-occur with other forms of domestic and sexual violence.²²

Individuals with Disabilities: Rates of sexual violence against people with disabilities are hard to assess. Significant barriers to reporting include fear of loss of a caregiver, inability to verbally communicate as a result of the disability, and fear of not being taken seriously, among others. Studies suggest that women with disabilities are abused and raped at twice the rate of the general population of women.²³ Of developmentally disabled adults, as many as 83% of females and 32% of males are the victims of sexual assault.²⁴

American Indians/Native Americans: While the NVAWS found no statistically significant difference among non-Hispanic white women, African-American women, or mixed-race women, it did find disproportionate numbers of rape victims in the American Indian/Native American community.²⁵

The NVAWS found that 34% of American Indian women reported experiencing an attempted or completed rape in their lifetime, compared with 18.8% of African American women, 17.7% of white women, and 6.8% of Asian American women.²⁶ Population specific research suggests that American Indians are reticent to report their victimization.²⁷ Estimates of underreporting suggest 70% of sexual assaults of American Indians go unreported.²⁸ Reasons include fear of white agencies’ racism, fear of being ostracized by family and friends, guilt, shame, and not knowing in which jurisdiction to report the crime.²⁹

Incarcerated Individuals: Until recently, “there was little recognition that sex occurring in prison could be defined as assaultive and coerced.”³⁰ Research suggests “that studies typically report prison sexual victimization rates of around 20%.”³¹ Of the substantiated reports of inmate-

on-inmate sexual violence reported to correctional authorities in 2005, 15.2% of victims were female and 84.8% were male.³² Another study found 17.5% of incarcerated women reported being sexually victimized while in prison.³³

It is important to note that prison rape does not occur only between inmates, but between correctional workers and inmates as well.

Sexual Harassment

Sexual harassment occurs in workplaces, schools, universities, and many other venues. Sexual harassment occurs between employees and supervisors, coworkers, teachers and students, between teachers, or between students, among others. In cases of sexual harassment, a “victim does not have to be the person harassed but could be anyone affected by the offensive conduct.”³⁴

While harassers and victims are both men and women, victims are predominantly women. Of the 12,510 charges of sexual harassment received by the Equal Employment Opportunity Commission in 2007, 84% were filed by women.³⁵

It is important to note that sexual harassment, unlike most forms of sexual violence, falls under the jurisdiction of civil law. Acts of sexual harassment may also precede or co-occur with criminal conduct.

Adverse Effects of Sexual Violence

The NVAWS “strongly confirms the negative mental health and social costs of rape victimization. Of those raped since age 18, 33% of the female rape victims and 24.2 percent of the male victims said they received counseling from a mental health professional as a direct result of their most recent rape. The survey found that 19.4 percent of the female victims and 9.7 percent of the male victims raped as adults said their victimization caused them to lose time from work.”³⁶ Among rape survivors, reported rates of post traumatic stress disorder “vary from approximately 30% to 65%.”³⁷

Legal Protections and Sexual Violence

What constitutes criminal sexual violence is determined by the jurisdiction in which it takes place. The ability of sexual violence victims to obtain protective orders varies state by state.

It is important to note that there are legal differences between sexual violence and sexual harassment. Acts of sexual violence, when adjudicated, are subject to criminal law while sexual harassment is subject to civil law.

The Office on Violence Against Women's Role

The Office on Violence Against Women was created in 1995 to implement the Violence Against Women Act (VAWA) and to lead the national effort to stop domestic violence, dating violence, sexual assault, and stalking. The Office on Violence Against Women administers 19 grant programs to help states, tribes, and local communities transform the way in which criminal justice systems respond to violent crimes against women, hold offenders accountable for their violence, and strengthen services to victim-survivors.

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*Indicates research was released by the U.S. government.