

Sexual Assault and Rape

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I. What Is Sexual Assault?

Sexual Assault is any sexual act or contact committed or attempted against a person's will or consent (consent meaning permission or approval). Sexual assault involves threatened or actual use of force by dates, spouses, acquaintances, or strangers, and can include sexual intercourse, intentional touching, indecent exposure, voyeurism, and obscene phone calls. In sexual assault, the forced sexual contact is against an adult person's will and/or attempts to engage a person who is under the age of 18 years of age, unconscious, or substantially mentally impaired (including intoxication).

As such, sexual assault may take many forms:

- ❑ Sexual abuse
- ❑ Attempted rape
- ❑ Rape
- ❑ Date/acquaintance rape

II. What Is Rape?

Rape is one type of sexual assault defined as sexual intercourse against a person's will through use of force or fear.

III. What is Acquaintance/Date Rape?

Acquaintance rape (also known as date rape) is defined as the act of forcing sex on a romantic date or acquaintance (casual social contact) without the consent of both persons.

An acquaintance rape will often not involve the use of weapons. Instead, the acquaintance rapist uses threats, coercion, physical strength, or authority to intimate or overpower. Victims of an acquaintance rape often report that they initially trusted and liked their assailant, not recognizing the assailant's intent to rape until it was too late to get help.

Frequently, women who have been forced or coerced to have sexual contact do not report the experience to college administration, police or authorities. If women tell someone, they are more likely to confide in a friend or a roommate. Men are even less likely to report forced sexual contact.

There are several reasons acquaintance rape occurs. First, some perpetrators believe that a partner's refusal is really covering up a desire to have sex. Another reason is that some people believe it is acceptable to use force to take what they want, especially if they believe that they are unlikely to be held accountable for their actions. Also, many acquaintance rapes may be more apt to occur when there is unclear or misinterpreted communication, differences in expectations, and consumption of alcohol or drugs by one or both people.

Fortunately, both men and women are learning that acquaintance rape, just like "stranger rape" is sexual violence and should not be tolerated. Bottom line: Sexual activity which is not fully consensual by both parties is harmful, degrading, and is against the law.

Tips for Minimizing your Risk:

- Before you begin dating, decide the role you want sex to play, if any, in your life.
- When on a date, communicate your expectations clearly when sober and allow your date/partner to do the same. Heavy petting or removing some of your clothing may confuse your partner about what you are willing to do sexually. If you think you know just what your date/partner really wants, thinks and feels, even though they says the opposite-you are courting disaster. **Communicate your limits clearly.**
- Know that “NO” always means “NO.” It is NEVER permissible to force yourself on a partner.

Facts to Keep in Mind:

- Both men and women have the same right to initiate contact and to set limits that will be respected. Building a relationship requires two people working together as equals and mutually agreeing as to the role sex will play in their relationship.
- Both men and women sometimes feel pressure to be sexually active. Think for yourself and be sure to follow your own decision about how sexually active you want to be.
- In most reported acquaintance rape cases, both the man and women have been drinking.
- Sexual aggression does happen and can happen to you.
- If you have sex without your partner’s consent, even if you had sex with this person previously, **it is a crime.**
- Having sex with someone who is under age, intoxicated, under the influence of drugs, unconscious, or otherwise physically or mentally incapacitated is a crime.
- Don’t assume that because a person has had sex with other people, they went to have sex with you.
- Spending money on a partner does not entitle you to sex.
- Think twice about going to your partner’s room or apartment. Most date rapes occur on the partner’s turf. Be careful about inviting a first time date or person you met in a bar into your room or apartment.
- Do not accept drinks from anyone you don’t know well or from anyone you don’t trust. **Trust your gut.**
- Do not leave your drink unattended.
- If you are accepting a drink, make sure it is in an unopened container and that you open it yourself.
- Do not allow anyone you don’t know well to escort you home if you are under the influence of any substance. Be wary of “rescuers.”
- Call your friends or family and ask them to take you home.
- Use a buddy system.
- Beware of drug use as it may increase your risk of being assaulted.

Coping Strategies:

- Stay calm; try to get away; yell for help
- Appraise your situation, and then act quickly. Evaluate how much danger you’re in and act accordingly.

- When necessary, act forcefully, but also realize that your fighting back might also cause your partner to become violent.
- Buy time with talk. Stall him/her with conversation. Flatter him/her. When your partner thinks no longer needs to use force, he/she may let down his/her guard. That's a good time to make a break for the door.
- Destroy your partner's idea of a "seduction." Tell them you have a sexually transmitted disease or have your period. Do physical things to turn the perpetrator off: urinate on the floor, belch, and pass gas or vomit.

Special Note: Giving In Is Not Consent:

A perpetrator may threaten you and as such, 'giving in' is not something to be ashamed of. He/she may be physically violent. He/she may terrify you so that you cannot respond effectively. In some situations, giving in may be a key survival strategy.

It is important not to berate yourself that you "let" the perpetrator rape you. A rape-threatening situation is also a life threatening situation. Your only responsibility as a victim is to yourself. You do not need to sustain injury or death to "prove" you were raped.

IV. Can Men Be Sexually Assaulted?

Any man can be the victim of a sexual assault, regardless of age, class, race, disability, or sexual orientation. Thousands of men are raped each year in the United States, yet only a fraction of these assaults are reported, Male rape is one of the most underreported of crimes; male rape survivors, are among the most underserved crime victims. As a result, male survivors of sexual assault too often suffer in isolation and silence the enormous trauma that rape can create.

Myth: Men can't be sexually assaulted?

Answer: Any person male or female can be sexually assaulted.

Myth: Only homosexual men rape each other.

Answer: The overwhelming majority of men who are rape other men are heterosexual, as are their victims.

Myth: Are males always raped by strangers?

Answer: Males can be raped by strangers or by people they know and trust.

Myth: Are all male rape victims young and weak?

Answer: Any male, no matter how old or strong, can be the victim of sexual abuse.

Myth: If a victim is sexually aroused during sexual assault, does it mean he wanted to be raped?

Answer: No. Sexual arousal, even during a sexual assault, is usually an involuntary response.

Myth: Is the best way to cope with rape to forget it happened and be silent?

Answer: Denying the impact of rape can have serious emotional consequences.

Survivors of rape often fear being misunderstood and ridiculed. The intensity of these feeling can contribute to an individual's decision not to tell anyone about the assault.

V. What If I Am Sexually Assaulted?

- **Get Support.** Tell someone you can trust-roommate, friend, resident advisor/resident director, minister, or counselor. Some one who can provide emotional support and objectively help you to make plans. Working through a sexual assault can be greatly helped if you seek support.
- **Seek medical attention as soon as possible.** You may have hidden injuries and also may need to explore options for preventing pregnancy or STDs. Drugs used for emergency contraception and to prevent HIV and STDs have a limited time window within which to work. Do not change your clothing, bathe, shower, or brush your teeth. Seeking medical attention will also allow you to have evidence collected. You don't have to decide whether or not to prosecute now. Having evidence collected within 72 hours gives you the option later to decide whether to prosecute.
- **Making a Decision about Prosecution.**
 - **If you decide not to press charges,** consider having a campus incident report completed. This is an anonymous way to report a sexual assault that will not result in charges being pressed, but allows your story to be heard. If you'd like to do this, contact the Office of Student Services at 464-8855 or stop by Room 202 in the CAB. The Upstate staff will neither coerce you to report a sexual assault as a lesser offence nor prevent or discourage you from reporting a sexual assault to another person or authority.
 - **If you decide to press charges,** either within the University system, University Police or externally with a local law enforcement agency, a member of counseling and/or student services can assist you. If you are a female victim you may also ask for a female police officer and/or a counselor from the Rape Crisis Center.

VI. Common Reactions to Sexual Assault

STAGE I: The Initial Shock or Acute Stage

- Victim experiences a sense of crisis, loss of control, and a sense of unreality. The victim may feel a great deal of confusion and have a hard time making decisions.
- Different response styles are possible: Individual may be very expressive (crying, easily startled, "hyper alert", and "hysterical") or withdrawn (numb, disconnected, quiet, no obvious emotion) or some combination.

STAGE II: The Denial of Shock or Acute Stage

- Attempts to go on with life "as usual." Victims want to forget the assault.
- Victims do not usually seek help during this stage.

- You cannot force anyone out of the denial stage, nor should you try. This is an effective way of dealing with trauma temporarily. You might let the victim know that sooner or later things will surface and the event will “hit them.” Communicate that this is a normal reaction and that there are resources ready to help when he/she wants/needs them.

STAGE III: Reactivation or Decompensation Stage (“Life falls apart”)

- This phase is usually triggered by some event that stirs up memories associated with the assault.
- In this stage, the real problems start to surface, and the victim is likely to seek help from friends, family and advocates who were under the impression that he/she was “over” the sexual assault.
- Victims may experience depression, suicidal ideation, feelings of guilt, shame, helplessness, confusion. They may experience academic and relationship difficulties, physical symptoms (headaches, gastric problems), nightmares, flashbacks, and changes in eating and sleeping patterns.

STAGE IV: The Anger Stage

- When the victims begins to acknowledge the fact that they had no control over what happened and they let go of some of the self-blame, they may begin to experience intense feelings of fear, anger and rage. The victim may be angry at everyone but, the perpetrator because he/she is the “least safe target” for the victim’s anger.
- This stage also usually involves a grieving process: victims may begin to identify personal losses and start to face the pain around those issues.

STAGE V: The Integration Stage

The assault and the events surrounding it are viewed as significant life experiences integrated among other experiences. The event becomes part of the past and is gradually acknowledged as an event that continues to impact who the survivor is.

VII. What do I Say to Someone Who is Victim of Sexual Assault?

- **Listen.** to their story when they are ready to talk. Avoid “why” questions as the person may experience it as condemning, intrusive, or insensitive.
- **Believe their story.** They will really need your support no your doubt. People rarely lie about sexual assault.
- **Emphasize that this is not their fault!** No one deserves to be sexually assaulted, no matter what they did/wore/said.
- **Encourage them to get medical treatment.** Remind them not to change their clothing, bathe, shower, or brush their teeth.
- **Let them decide who to tell;** this is not your story to share.
- **Encourage them to talk to a counselor.** Let them decide when to seek help.

- **Let them decide whether to report it to authorities.** Their deciding helps them to take control. Rape Crisis Hotlines can be very helpful in dealing with the crime.
- **Let them express their feelings and realize that they're not aimed at you.**
- **Remember that everyone responds differently.** Some victims experience the effects of sexual assault immediately afterwards while others experience effects over time.
- **Take care of yourself while helping.** It can be very difficult to support someone through such a traumatic event and you may need to seek help for yourself. It may take a long time for them to heal emotionally.
- **Offer to stay with them** or help them find someone they would like to stay with them.

VIII. Upstate Medical University Policy Concerning Sexual Assault

If you are a victim of sexual assault which is reported to Upstate Medical University, the following policies and procedures apply:

- You and the matter you reported will be treated with the greatest concern and seriousness, regardless of your gender or the gender of the suspect. You will be treated with dignity, courtesy, sensitivity, and understanding. You will not be prejudged or blamed for what occurred.
- Your name will not be released to the public or media
- You will be provided with information regarding you options for reporting the sexual assault, and your right to make choices based on this information will be respected.
- You will have the opportunity to pursue all legal and disciplinary remedies and obtain counseling through the Student Counseling Center.
- If you request, Upstate Medical University staff will take any reasonable steps to prevent unnecessary or unwanted contact or proximity with the suspect.
- If you file a complaint with University Police, an officer will investigate your complaint. You will be notified of the victim's rights and remedies accorded in the Crime Victim's Rights Act and you will be kept abreast of the status of the investigation.
- You will be made aware of, and assisted in exercising, any options provided under law regarding the mandatory testing of sexual assault suspects for communicable diseases and notification to the victim of the results of the testing.

IX. A Key Resource: The Rape Crisis Center in Syracuse; 477-7273

The following information is copied from the Rape Crisis Center in Syracuse website at <http://www.crisiscentersyr.org/howwehelp.html>

The Rape Crisis Center (RCC) of Syracuse, Inc. is a not-for-profit agency whose mission is to alleviate the trauma suffered by survivors of sexual and family violence and to promote a better understanding of these social problems

Hotline

The hotline provides 24 hour telephone support for people who have been sexually abused, sexually assaulted, or raped, recently or at any time in the past, and for family members in need of support. RCC staff and volunteers are available to talk any time about a recent assault or

something that happened years ago. The Hotline can be the first point of contact with a Rape Crisis Center Victim Advocate. Call 422-7273 at any time.

Crisis Intervention

Victim Advocates provide 24 hour support at Onondaga County hospitals or police stations. An Advocate will meet victims of sexual abuse, sexual assault, or rape at the hospital or police station and help them get through the medical examination and, if the victim chooses to report the assault to the police, the reporting process. Although we recommend reporting assaults to law enforcement, the decision is yours. Whatever you decide, we will support you.

Medical Attention

A Sexual Assault Nurse Examiner (SANE) will meet victims of recent sexual assault or rape at the emergency room at University Hospital in Syracuse. Sexual Assault Nurse Examiners are RN's with specialized training. They perform medical examinations, collect forensic evidence, and test for pregnancy, HIV, and other sexually transmitted infections. They provide emergency contraception (EC) to prevent pregnancy and medications to prevent HIV and AIDS. SANE Nurses are caring and compassionate. For information on becoming a Sexual Assault Nurse Examiner, contact the SANE Coordinator at 422-7320.

Counseling

RCC Counselors provide individual, group, and family counseling for survivors of sexual abuse, sexual assault, or rape, as well as for family members in need of support. Counseling is available to female and male victims of all ages, whether they need help immediately after the abuse or assault or many years later.

Advocacy

Advocates at the RCC Victim Resource Center assist victims of crimes including sexual assault or rape, elder abuse, and domestic violence, through outreach in the community. In addition to information and referral, Advocates assist with New York State Crime Victims Board claims, medical and legal advocacy, and insurance claims.

Education

RCC Educators teach children and adults in Onondaga County schools, agencies, and businesses about personal safety. Age-appropriate programming on safety and healthy relationships is available in grades K-12. Community programming includes personal safety for adults and children as well as programs for parents on talking with children about safety. For more information on educational programs, call 422-7320.

X. Other Resources for Victims of Sexual Assault

Local Resources:

- University Police 464-4000
- For any Emergency 911
(911 will default to 4-4000 on a campus telephone)
- Student Counseling Center; Upstate Medical
University.....464-3112
- Contact Counseling Hotline251-0600
- Vera House468-3260
- Onondaga Pastoral Counseling Center472-4471
- LGBT Resource Center, Syracuse University..... 443-3983
- Syracuse Police Emergency: 911
Information/Main Desk442-5111

- Violence Unit.....422-5332
(Mon. - Fri: 8:00AM - 4:00 PM)
- Onondaga County SheriffEmergency: 911
 - Information Main Desk435-2111
 - Abused Person Unit435-3092
(Mon.- Fri.- 8:00 AM - 4:00PM)
- Victims/Witness Assistance Center,
Onondaga County District Attorney’s Special
Victims Bureau..... 473-7891

State Resources:

- NYS Police 315-457-2600
 - NYS Police Domestic Violence
Intervention Unit 315-336041
(Mon.- Fri: 7:00 AM - 3:00 PM)
- New York State Coalition Against Sexual Assault (NYSCASA)
www.nyscasa.org
Legal project and NYSCASA:
Legal assistance, support, free consults.....518-435-1770
NYS Domestic violence Hotline1-800-942
 - New York City Gay and Lesbian Anti-Violence Project
24-hours hotline:212-807-0197
- New York Sheriff’s Victim Hotline
Provides information on custody status
of perpetrators..... 1-888-VINE 4 NY
(1-888-846-3469)

National Resources:

- The National Domestic Violence Hotline 1-800-799-SAFE
- National Sexual Assault Hotline 1-800-656-HOPE