

MYTHS AND FACTS ABOUT SEXUAL ASSAULT

(From Office on Violence Against Women)

Myth #1: *Victims provoke sexual assaults when they dress provocatively or act in promiscuous manner.*

Fact: Rape and sexual assault are crimes of violence and control that stem from a person's determination to exercise power over another. Neither provocative dress nor promiscuous behavior are invitations for unwanted sexual activity. Forcing someone to engage in non-consensual sexual activity is sexual assault, regardless of the way that person dresses or acts.

Myth #2: *If a person goes to someone's room or house or goes to a bar, she assumes the risk of sexual assault. If something happens later, she can't claim that she was raped or sexually assaulted because she should have known not to go to those places*

Fact: This "assumption of risk" wrongfully places the responsibility of the offender's actions with the victim. Even if a person went voluntarily to someone's residence or room and consented to engage in some sexual activity, it does not serve as a blanket consent for all sexual activity. If a person is unsure about whether the other person is comfortable with an elevated level of sexual activity, the person should stop and ask. When someone says "No" or "Stop", that means STOP. Sexual activity forced upon another without consent is sexual assault.

Myth #3: *It's not sexual assault if it happens after drinking or taking drugs*

Fact: Being under the influence of alcohol or drugs is not an invitation for nonconsensual sexual activity. A person under the influence of drugs or alcohol *does not cause* others to assault her; *others choose* to take advantage of the situation and sexually assault her because she is in a vulnerable position. Many state laws hold that a person who is cognitively impaired due to the influence of drugs or alcohol is not able to consent to sexual activity. The act of an offender who deliberately uses alcohol as a means to subdue someone in order to engage in non-consensual sexual activity is also criminal.

Myth #4: *Most sexual assaults are committed by strangers. It's not rape if the people involved knew each other.*

Fact: Most sexual assaults and rapes are committed by someone the victim knows. Among victims aged 18 to 29, two-thirds had a prior relationship with the offender¹. During 2000, about six in ten rape or sexual assault victims stated the offender was an intimate, other relative, a friend or an acquaintance². A study of sexual victimization of college women showed that most victims knew the person who sexually victimized them. For both completed and attempted rapes, about 9 in 10 offenders were known to the victim³. Most often, a boyfriend, ex-boyfriend, classmate, friend, acquaintance, or co-worker sexually victimized the women⁴. **Sexual assault can be committed within any type of relationship, including in marriage, in dating relationships, or by friends, acquaintances or co-workers.** Sexual assault can occur in heterosexual or same-gender relationships. It does not matter whether there is a current or past relationship between the victim and offender; unwanted sexual activity is still sexual assault and is a serious crime.

***Myth #5:** Rape can be avoided if women avoid dark alleys or other “dangerous” places where strangers might be hiding or lurking.*

Fact: Rape and sexual assault can occur at any time, in many places, to anyone. According to a report based on FBI data, **almost 70% of sexual assault reported to law enforcement occurred in the residence of the victim, the offender, or another individual⁵.** As pointed out above in Fact #4, many rapes are committed by people known to the victim. While prudent, avoiding dark alleys or “dangerous” places will not necessarily protect someone from being sexually assaulted.

***Myth #6:** A person who has really been sexually assaulted will be hysterical.*

Fact: Victims of sexual violence exhibit a spectrum of responses to the assault which can include: calm, hysteria, withdrawal, anger, apathy, denial, and shock. Being sexually assaulted is a very traumatic experience. Reactions to the assault and the length of time needed to process through the experience vary with each person. **There is no “right way” to react to being sexually assaulted. Assumptions about a way a victim “should act” may be detrimental to the victim because each victim copes with the trauma of the assault in different ways which can also vary over time.**

***Myth #7:** All sexual assault victims will report the crime immediately to the police. If they do not report it or delay in reporting it, then they must have changed their minds after it happened, wanted revenge, or didn't want to look like they were sexually active.*

Fact: There are many reasons why a sexual assault victim may not report the assault to the police. It is not easy to talk about being sexually

assaulted. The experience of re-telling what happened may cause the person to relive the trauma. Other reasons for not immediately reporting the assault or not reporting it at all include fear of retaliation by the offender, fear of not being believed, fear of being blamed for the assault, fear of being “revictimized” if the case goes through the criminal justice system, belief that the offender will not be held accountable, wanting to forget the assault ever happened, not recognizing that what happened was sexual assault, shame, and/or shock. In fact, reporting a sexual assault incident to the police is the exception and not the norm.

From 1993 to 1999, **about 70% of rape and sexual assault crimes were not reported to the police**.⁶ Because a person did not immediately report an assault or chooses not to report it at all does not mean that the assault did not happen.

Victims can report a sexual assault to criminal justice authorities at any time, whether it be immediately after the assault or within weeks, months, or even years after the assault. Criminal justice authorities can move forward with a criminal case, so long as the incident is reported within the jurisdiction’s statute of limitations. Each state has different statutes of limitations that apply to the crimes of rape and sexual assault. Statutes of limitations provide for the time period in which criminal justice authorities can charge an individual with a crime for a particular incident. If you have any questions about your state’s statute of limitations, you can call your local police department, prosecutor’s office, local sexual assault victim services program, or state sexual assault coalition

Myth #8: Only young, pretty women are assaulted.

Fact: The belief that only young, pretty women are sexually assaulted stems from the myth that sexual assault is based on sex and physical attraction. Sexual assault is a crime of power and control and offenders often choose people whom they perceive as most vulnerable to attack or over whom they believe they can assert power. Sexual assault victims come from all walks of life. They can range in age from the very old to the very young. Many victims of sexual violence are under 12. Sixty-seven percent of all victims of sexual assault reported to law enforcement agencies were juveniles (under the age of 18); 34% of all victims were under age 12. One of every seven victims of sexual assault reported to law enforcement agencies were under age 6.⁷ Men and boys are sexually assaulted. Persons with disabilities are also sexually assaulted. Assumptions about the “typical” sexual assault victim may further isolate those victimized because they may feel they will not be believed if they do not share the characteristics of the stereotypical sexual assault victim.

Myth #9: It's only rape if the victim puts up a fight and resists.

Fact: Many states do not require a victim to resist in order to charge the offender with rape or sexual assault. In addition, there are many reasons why a victim of sexual assault would not fight or resist her attacker. She may feel that fighting or resisting will make her attacker angry, resulting in more severe injury. She may not fight or resist as a coping mechanism for dealing with the trauma of being sexually assaulted. Many law enforcement experts say that victims should trust their instincts and intuition and do what they think is most likely to keep them alive. Not fighting or resisting an attack does not equal consent. It may mean it was the best way she knew how to protect herself from further injury.

Myth #10: Someone can only be sexually assaulted if a weapon was involved.

Fact: In many cases of sexual assault, a weapon is not involved. The offender often uses physical strength, physical violence, intimidation, threats, or a combination of these tactics to overpower the victim. As pointed out in Fact #4, most sexual assaults are perpetrated by someone known to the victim. An offender often uses the victim's trust developed through their relationship to create an opportunity to commit the sexual assault. In addition, the offender may have intimate knowledge about the victim's life, such as where she lives, where she works, where she goes to school, or information about her family and friends. This enhances the credibility of any threats made by the offender since he has the knowledge about her life to carry them out. Although the presence of a weapon while committing the assault may result in a higher penalty or criminal charge, the absence of a weapon does not mean that the offender cannot be held criminally responsible for a sexual assault.

Myth #11: Rape is mostly an inter-racial crime.

Fact: The vast majority of violent crimes, which include sexual assaults and rapes, are intra-racial, meaning the victim and the offender are of the same race⁸. This is not true, however, for rapes and sexual assaults committed against Native women. American Indian victims reported that approximately 8 in 10 rapes or sexual assaults were perpetrated by whites⁹. Native women also experience a higher rate of sexual assault victimization than any other race¹⁰.