

# About Sexual Assault

Crimes of sexual assault are traumatic, regardless of the survivor's age, occupation, culture or economic status. Every woman, child or man is affected by sexual assault. Response to sexual assault varies and each sexual assault survivor must be seen as an individual, recognizing that no two people will react in the same way. Some typical responses include:

- Fear of physical injury or death (during and after the attack)
- Self-blame/Guilt
- Need or desire for revenge
- Irritability
- Fear of being touched
- Anger
- Fear of going "crazy"
- Flashbacks
- Feel a lack of control of their lives

Because sexual assault is a violent act, medical attention should be sought as soon as possible after an incident. You should seek medical attention after a sexual assault for two reasons: your own physical well-being and the collection of evidence. If evidence has been collected, you are under no obligation to criminally pursue the assailant. You may have visible external injuries or internal injuries that you cannot see. An advocate from VOICE is available to accompany you to the emergency room or family doctor.

Here are some other definitions for types of sexual assault:

- **Sexual Violence** - A broader definition of sexual violence could simply be stated as **any non-consensual sexual contact**. This definition would encompass the legal terms of incest, child sexual assault, rape, fondling, touches, sexual assaults and sexual harassment.
- **Incest** - Broadly defined, incest is based on the emotional relationship between the survivor and perpetrator rather than the blood relationship. Incest can result in a profound betrayal of trust.
- **Child Sexual Assault** - Sexual abuse of children is any manual, oral or genital contact between an adult and a child where the child is unable to change or understand the adult behavior because of lack of power or psychological development.
- **Sexual Assaults and Rape** - Sexual assault, in any form, is an act of violence where sex is used as the weapon. It is non-consensual and includes contact that is manual, oral and/or genital. Sexual violence crosses all socio-economic and age boundaries.
- **Sexual Harassment** - Any unwelcome sexual advance, request for sexual favors, other verbal or physical conduct of a sexual nature can be considered sexual harassment. Sexual harassment is meant to intimidate, humiliate and otherwise degrade the recipient. The recipient of the action is the one who defines whether the action(s) is harassment.

## Consent

Consent is based on choice and is freely given. Consent is only possible when there is equal power. Being coerced, manipulated, deceived, giving in or going along is not consent. Sexual activity while you are under the influence of drugs or alcohol, if you are asleep, if you are unconscious, if you are incapacitated in any way is sexual assault.

Children are easily victimized because of their age, their naiveté, their inability to understand consent and in their trust of adult or authority figures.

Most people view sexual violence as something that could never happen to them, but any person may be vulnerable to sexual assault or abuse. Most actions are planned by the perpetrator. Anger and power, not sexual gratification or seduction, are the motivations.

It is important to remember that the survivor is not responsible for acts they did not consent to. The perpetrator is responsible for the criminal act(s) of sexual violence.

## **Statutory Sexual Assault**

A person commits a felony of the second degree when that person engages in sexual intercourse with a complainant under the age of 16 years and that person is four or more years older than the complainant and the complainant and the person are not married to each other.