

SEXUAL ASSAULT: From Victim to Survivor



Monarch Services

Formerly Women's Crisis Support ~ Defensa de Mujeres

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24-Hour Crisis Line: 1-888-900-4232

WHAT IS RAPE?

Rape is a violent crime that is acted out sexually. It violates a person's right to have control over their body and their right to be safe. Rape is not a sexual act motivated by desire; it is a violent act about power and control. RAPE IS A CRIME.

California Penal Code defines Rape¹ as: an act of sexual intercourse accomplished with a person, whether or not they are the spouse of the perpetrator, under any of the following circumstances:

- Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act.
- Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.
- Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.
- Where a person is at the time unconscious of the nature of the act, and this is known to the accused. "Unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions:
 - Was unconscious or asleep.
 - Was not aware, knowing, perceiving, or cognizant that the act occurred or of the essential characteristics of the act due to the perpetrator's fraud in fact.
- Where a person submits under the belief that the person committing the act is the victim's spouse, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.
- Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.
- Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. "Threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.
- Where the act of sexual intercourse accomplished with a person under the age of 18.

The legal definition of rape suggests that anyone can be raped, male or female. Sexual violations, even those that are not heterosexual forced intercourse, are against the law. Because we recognize that the experiences of both women and men who have been sexually violated by someone of the opposite sex or of their own sex are equally traumatic, the terms rape and sexual assault have been used interchangeably for the purpose of this packet.

There are many ways in which people can be pressured verbally and emotionally into having sex when they don't want to. Being pressured into having sex against your will is harmful to your emotional health, and sometimes to your physical health as well.

1. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=261-269>

AFTER A SEXUAL ASSAULT

While many survivors report having intense physical and emotional reactions following a sexual assault, each person's reaction is a valid response to the assault. Your reactions may be different from those of other survivors.

Your reaction to a sexual assault might be expressed or controlled or you might switch between the two styles.

Expressed (visibly upset)

- Crying or sobbing
- Inappropriate laughter or giggling
- Fury, hostility

Controlled (feelings are hidden)

- Calm appearance
- Reluctance to talk
- Reference to the assault as if it happened to somebody else

Extreme physical and emotional reactions are also common after a sexual assault.

Physical

- Sleep disturbances (insomnia, nightmares)
- Changes in eating patterns
- Physical soreness
- Tension
- Numbness
- Lethargy, tiredness

Emotional

- Heightened fear, related or unrelated to the attack
- Mood swings
- Anxiety
- Feeling of powerlessness and dependence
- Attempts to block thoughts about the assault

These examples are only some of the normal reactions to a sexual assault.

These reactions may occur immediately following or sometime after a sexual assault. Even after you start to regain control of your daily life activities, you may still be affected by the assault. You may experience feelings of isolation, guilt, shame, fear, and denial. Talking with someone can make you feel less alone. *Monarch Services* offers a safe, supportive place where you can begin to heal. Our services are free. Call our office at 425-4030 (Santa Cruz) or 722-4532 (Watsonville) for counseling information or our 24-hour hotline at 1-888-900-4232 to talk with a supportive peer counselor.

**The responsibility for rape always lies with the attacker.
What happened to you is not your fault.**

YOU HAVE RIGHTS

As the survivor of a sexual assault, you are entitled to the following rights:

- To be assured of strict confidentiality
- To be treated in a way that does not take your power away and which lets you determine your needs and how to meet them
- To report or not to report the sexual assault to the police
- To be given information about all available legal, medical, and mental health care options
- To be treated with respect by all law enforcement, medical, and legal personnel:
 - To be treated without prejudice regarding race, age, class, occupation, mental health status and sexual orientation
 - To have as much credibility as you would a victim of any other crime
 - To be asked only those questions that are relevant to your medical treatment or court case
 - To not be questioned about your prior sexual experiences except those questions which pertain to the interpretation of forensic evidence
- To have your reactions treated as normal, not pathological or crazy
- To be considered a victim of sexual assault regardless of the assailant's relationship to you
- To receive medical and mental health services
- To heal at your own pace
- **To be loved - you have done nothing wrong.**



ALCOHOL, DRUGS, AND VIOLENCE

People under the influence of alcohol or other drugs may be less capable of making wise choices about their safety. Alcohol and drugs do not cause violence, but they can escalate a violent situation or impede one's ability to discern danger and make safe and healthy choices. People who would normally be able to control their violent behavior may choose to not do so when they are under the influence of alcohol or drugs. Likewise, people who would normally be able to defend themselves may not be able to do so when they have been drinking or using drugs.

Alcohol and drug use is never an acceptable excuse for violence.

- The estimates for alcohol use among perpetrators have ranged from 34 to 74 percent. Similarly, approximately one-half of all sexual assault victims report that they were drinking alcohol at the time of the assault, with estimates ranging from 30 to 79 percent (Abbey et al. 1994; Crowell and Burgess 1996).
- The heavy use of alcohol or drugs may make women/men more vulnerable to crimes of physical and sexual assault.

People use alcohol and drugs for different reasons.

- Many people use alcohol or other drugs in an uncomfortable situation to make themselves feel more comfortable, or to numb painful emotions they are feeling. However, alcohol and other drugs impair everyone's ability to think clearly and often create additional problems.
- Many of us grew up in homes in which alcohol and drug use was common. You do not have to continue this pattern. There are people who can help you break the cycle of alcohol and drug abuse and create a healthier, safer life for yourself.

You are not alone. Ask for help.

ABBEY, A.; ROSS, L.T.; AND McDUFFIE, D. Alcohol's role in sexual assault. In: Watson R.R., ed. *Drug and Alcohol Abuse Reviews: Volume 5 Addictive Behaviors in Women*. Totowa, NJ: Humana Press, 1994. pp. 97-123.

CROWELL, N.A., AND BURGESS, A.W. *Understanding Violence Against Women*. Washington, D.C.: National Academy Press, 1996.

GIVE THIS PAGE TO A SUPPORT PERSON

Support People: You may feel lost after someone you love is sexually assaulted. It is hard to know how to react, how to support that person, what to say. Here are some suggestions:

First and most importantly, believe her/him!

<i>Reassure the survivor that you still love her/him.</i>	<ul style="list-style-type: none"> • Explain that you know the sexual assault was not her/his fault.
<i>You may be tempted to be overly protective.</i>	<ul style="list-style-type: none"> • Although is perfectly understandable, this response can make it more difficult for the survivor to return to a normal lifestyle. S/he might interpret restrictions on going out as punishment for doing something wrong. Continue your regular routine, making only the changes that the survivor requests.
<i>Be sure not to judge the survivor's choices.</i>	<ul style="list-style-type: none"> • What happened to the survivor is not her/his fault, regardless of the circumstances. Thinking about what s/he "should have done" won't change what has happened or make either of you feel better. Provide reassurance that only s/he could have known what to do in the situation and that those actions were appropriate. Whatever s/he did to survive the assault was the right thing to do.
<i>Be a good listener.</i>	<ul style="list-style-type: none"> • Don't ask a lot of questions. The survivor will tell you what s/he wants you to know.
<i>Understand that it takes a long time to recover from sexual assault.</i>	<ul style="list-style-type: none"> • The last thing the survivor needs to hear is "Aren't you over that yet?" or "It's time for you to put that behind you."
<i>Encourage the survivor to express her/his feelings.</i>	<ul style="list-style-type: none"> • Try to keep your feelings to yourself in front of the survivor. S/he needs to know you care, but your anger or sadness might complicate her/his response. The survivor cannot be expected to deal with your feelings while dealing with her/his own. If this feels like a crisis in your own life, get help. You are welcome to call our 24-hour crisis line at 1-888-900-4232. Also, at our office we can give you more information on sexual assault.
<i>Help the person regain control of her/his life.</i>	<ul style="list-style-type: none"> • Let the survivor make her/his own decisions. Don't tell the survivor what to do, even if you have strong opinions, or even if you are asked. Help the survivor list options, and tell her/him that you will support whatever decision s/he makes.
<i>Showing affection is important.</i>	<ul style="list-style-type: none"> • It reassures the survivor of your love and concern. However, s/he may want to avoid physical contact. This does not mean that you are being rejected. Being touched by you may stimulate flashbacks of the assault. It could be weeks or months before the survivor is comfortable with physical intimacy. Be patient and understanding; allow her/him to initiate physical contact.



Remember that healing from a sexual assault is possible!



MYTHS AND FACTS ABOUT RAPE

Myth: Rape happens when a man is overwhelmed by uncontrollable sexual desire.

Fact: Rape is a violent assault that is acted out sexually. Like other violent crimes, most rapes are planned in advance. The prime motives for rape are control and power, not sex.

Myth: Rape is an uncommon crime.

Fact: One out of three women over the age of 14 will be raped in her lifetime.

Myth: Rape happens when a stranger jumps out of a dark alley at night.

Fact: Over two-thirds of women who are raped know their attacker on a first name basis. Rape can take place at any time of the day, in any location. In fact, most rapes happen indoors, often in the rapist's or the victim's home.

Myth: Rape is caused by the woman's behavior. Only certain kinds of women get raped.

Fact: All women have the right to say no to sex - rapists take away that right. A woman's life situation may place her in a vulnerable position, but no one "asks" to be sexually assaulted. Men who rape report that the determining factor, in choosing who to rape, is when they are least likely to be caught, rather than any physical characteristic of the victim.

Myth: Only young, attractive, heterosexual women can be sexually assaulted.

Fact: Sexual assault can happen to anyone: women, children, men, rich

people, babies, lesbians, grandmothers, gay men, poor people, and so on.

Myth: A woman cannot be raped by her husband or boyfriend.

Fact: Marital rape is a felony in the state of California. Forced sexual activity is against the law, regardless of the woman's relationship to the man.

Myth: Rape happens only to young women.

Fact: While women between the ages of 14 and 25 are at a greater risk of being sexually assaulted, girls as young as 3 months and women as old as 92 have been raped. It can happen at any age.

Myth: White women are often raped by African Americans or other minority men.

Fact: According to Justice Department statistics, in more than 75% of reported rapes, the rapist and victim belong to the same race.

Myth: Rape only happens in poor, high-crime areas.

Fact: Rape occurs in all areas, and rapists come from all walks of life, in all shapes and sizes.

We use the term "victim" to emphasize victimization by a crime. Many victims choose to call themselves "survivors" to recognize that they survived a violent crime and are moving forward with their lives.

FUTURE SAFETY

As people, we all face the reality of possible sexual assault every day. Thinking about being sexually assaulted again can be terrifying. However, there are some ways to actively work towards keeping yourself safe. These are not things you "should have done," but things that you may want to think about for the future.

IN SOCIAL SITUATIONS OR ON DATES.

- ☞ **Believe** in your right to make decisions about what happens to your body. No one has the right to force sex (or anything else) on you against your will.
- ☞ **Trust** your own feelings. Be aware of the "little inner voice" that tells you that a person or situation is dangerous. Don't dismiss these feelings - they can help keep you safe.
- ☞ **Express** yourself clearly. Don't worry about insulting someone - your safety is more important. Make your limits clear.
- ☞ If you are with someone you don't know well or trust, avoid secluded places, such as parks or deserted beaches. Meet in public places where help will be nearby if you need it.
- ☞ If you will be drinking or using other drugs, do so in a setting where you know you are safe. Alcohol and other drugs can make you less aware of your surroundings and lessen your ability to defend yourself in a dangerous situation.
- ☞ Be aware of how the people around you are acting. If you become uncomfortable, get yourself to a safe place immediately.



AT HOME



Keep the lights on when you leave your house and have your keys ready when you return.

Let friends know where you are and if you will be out alone.

Install and use sturdy locks on your doors and windows

If you come home and find a door or window open or signs of forced entry, don't go in! Go to a nearest phone and call 911

FOR YOURSELF

Take a **self-defense** class! Having the skills to defend yourself gives you power. Practicing assertiveness and self defense skills can make you feel more secure. There are many free or low cost classes available in Santa Cruz County.

Sexual assault is a criminal activity that a perpetrator chooses to engage in -- *it is never the survivor's fault*. People have the right to walk alone, even at night. People have the right to leave their windows open at night without being attacked. People have the right to be in a relationship and still say no to sex. When a person chooses to dress "provocatively" it never overrides their right to say NO. Even if a person is drunk, naked, and walking in an alley at night, *nobody* has the right to violate her/him in a sexual way. Everyone has the right to say "No" to any kind of touching at any time - anything less than that is unacceptable.

RESOURCES FOR SEXUAL ASSAULT SURVIVORS

RAPE CRISIS COUNSELING

Monarch Services~Servicios Monarca (24 hours).....1-888-900-4232
M-F business hours.....722-4532 (Watsonville) or 425-4030 (Santa Cruz)
Monterey Rape Crisis Center (24 hours).....(831)375-4357
Youth Services (for teens - 24 hours).....(831)425-0771 or (831)728-2226
UCSC Rape Prevention(831)459-2721
Cabrillo College Women's Center(831)479-6249
Suicide Prevention (24 hours).....(831)458-5300

POLICE

Emergency911
Santa Cruz County Sheriff.....(831)471-1121
Santa Cruz City.....(831)471-1131
Capitola.....(831)471-1141
Watsonville.....(831)471-1151
Scotts Valley.....(831)438-2323
UCSC.....(831)459-2345

COURT PROCESS

Victim's Services.....(831)454-2010 or (831)768-6500
District Attorney.....(831)454-2400
Monarch Services~Servicios Monarca.....(831)722-4532 or (831)425-4030

LEGAL ASSISTANCE/ ADVOCACY

Lawyers Referral Service.....(831).425-4755
Paralegal Services of Santa Cruz.....(831).457-8257
Monarch Services~Servicios Monarca.....(831)722-4532 or (831)425-4030

PROFESSIONAL COUNSELING

Youth Services (for teens).....(831)425-0771 or (831)728-2226
Parents Center.....(831)426-7322 or (831)724-2879
UCSC Counseling.....(831)459-2628
Cabrillo College Health Services.....(831)479-6435

MISCELLANEOUS

Familia Center.....(831)423-5747
Lesbian Gay Bisexual Community Center.....(831).425-5422
Planned Parenthood.....(831)426-5550 or .(831)724-7525
Santa Cruz Aids Project (SCAP).....(831)427-3900