

REPORTING ON SEXUAL VIOLENCE: A GUIDE FOR JOURNALISTS



Minnesota Coalition Against Sexual Assault

Rape is violence, not “sex.” Reporting on sexual assault means finding not only the language but the context and sensitivity to communicate a trauma that is at once deeply personal and yet a matter of public policy; immediate and yet freighted with centuries of stigma, silence and suppression. Reporting on sexual violence requires special ethical sensitivity, interviewing skills, and knowledge about victims, perpetrators, law and psychology.

- Dart Center for Journalism and Trauma¹

WHY A GUIDE FOR JOURNALISTS?

Journalists play an important role by informing the public about the significant impact of sexual violence in our communities. This guide supports their work by providing:

- insights into current trends
- analysis of recent major news stories
- resources to report on sexual violence with accuracy and sensitivity
- sources for statistics and information as background to news stories
- contacts for local, state, and national experts on sexual violence

The Minnesota Coalition Against Sexual Assault (MNCASA) developed this guide with input from journalists, state and federal administrators, victim advocates, legal and law enforcement professionals, and educators. Portions of the guide were originally developed by The Michigan Coalition Against Domestic and Sexual Violence (MCADSV) in its 2004 document, *Reporting Sexual Assault: A Guide for Journalists*. MNCASA gratefully acknowledges MCADSV’s willingness to share sections of its publication for reproduction in this document (cited where used). Thank you to Evelyn Anderson for her copy editing assistance.

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Please note that although we strive to be as inclusive as possible throughout this guide, we may sometimes default to the pronoun “she” in recognition of the fact that sexual violence victims/survivors are predominantly female. See the sections on [Key Concepts for Thinking and Writing about Sexual Violence, Definitions of Common Terms \(Appendix A\)](#) and [Concepts and Finding Experts: Local, State, and National \(Appendix B\)](#) for further information.

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The Minnesota Coalition Against Sexual Assault (MNCASA) is a voice for victims/survivors, sexual assault programs, and allies committed to ending sexual violence in Minnesota. MNCASA’s services are designed to assist local programs in providing state of the art advocacy and prevention programming and to affect public perception and policy in relation to sexual assault.

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THE IMPORTANCE OF LANGUAGE

It is common for newspapers to use terms like “sexual assault” and “sexual abuse” and “have sex” when reporting on sex crimes. Perhaps, though, it’s time that The Times and other news organizations take another look at the language they use. Victims’ advocates echo what the readers told me in their e-mails: language in news media reports – and, for that matter, in the court system itself – consistently underplays the brutality of sex crimes and misapplies terms that imply consent.

- Arthur S. Brisbane, *Confusing Sex and Rape*, New York Times, Nov. 19, 2011
(Commenting on public response to coverage of the Jerry Sandusky/Penn State case)²

Journalists are keenly aware of the power of language. Sexual violence is an act that someone is *subjected to*. Language used to describe it should show the nonconsensual nature of the act. When a person “experiences” sexual violence, it implies voluntary participation and minimizes the harm.³ Re-imagine the term “sexual violence” as “violence using sex” for further emphasis on the violent act.

Take special note of [Appendix A: Definitions of Common Terms and Concepts](#) for more information on the issues discussed in this section.

Although the term “sexual violence” is commonly used in the field, even the word “violence” can be a barrier to understanding. Many people associate it with physical violence. But sexual violence can also include pornography, Internet abuse, sexual harassment, and other forms of harm that may not necessarily result in physical injury. The offender may use threats or coercive behavior. Sometimes the offender grooms the victim over a period of time using kind words, seemingly supportive actions and flattery. This is manipulation that leads to harm.

Words to use, words to avoid

Avoid using the term “alleged” rape or sexual assault. It reinforces the disbelief that a crime actually occurred. The term “reported” is more neutral. It also indicates that a case is officially part of the justice system. But if the term “alleged” is used, avoid labeling the victim as an “accuser,” for this term also reinforces a negative stereotype. The term “victim” is preferred and is standard in its use within the criminal justice system.⁴ Note that some people who have been assaulted prefer to describe themselves as “survivors” rather than victims.

In the left column below are examples of problematic language that can occur in judicial reporting, adapted from the [Judicial Language Project at the Center for Law and Social Responsibility at the New England Law in Boston, Massachusetts](#). Much of this terminology implies consent. The problematic terms diminish the perpetrator’s dangerous behavior, making the acts seem sensual or pleasurable rather than criminal, harmful and forced upon the victim. Reporters should ensure that the language used is clinical and specific in nature. Many of these terms are defined more specifically in [Appendix A](#).

Problematic Language:	Alternate Suggestion:
Engaging in sexual contact	Forced penis into the victim's mouth (state specific act) Forced hand onto the victim's vagina, leg, nipple (state body part)
Intercourse/ Insertion of penis	Forced penile-vaginal penetration or rape
Fondled/groped	Forcibly touched
Panties	Underwear or undergarments
Private Parts	State body part – vagina, breasts For children use terms nipple or underdeveloped chest, not breast
Climax	Ejaculation
Kissed	Placed/Put/Forced his mouth on the victims mouth/nipple/vagina, neck, stomach (body part)
Molestation	Forcible touch of the victims vagina (or body part). Distinguish if penetration involved.
Accompanied/guided victim	Carried, brought, compelled, forced victim
Stroking	Forcible physical or manual contact on victim's vagina, breast, leg (body part)
Victim received/performed oral sex	Forced mouth onto victim's genitals/Forced penis into victim's mouth

Sentence structure matters

According to a recent report by the Poynter Institute:

Sometimes it's easier to use the passive voice because we don't want to assign blame to someone who hasn't been convicted. But when a perpetrator has been arrested, it's best to cite the police report, make the perpetrator the subject of the sentence, and then assign verbs to him or her. The victim should be the direct object of the sentence. Saying a victim "performed" a sexual act unfairly assigns agency to the victim.⁵

Members of law enforcement are also encouraged to write their reports in this manner and are receiving training on the topic. This is an approach that can be helpful to journalists as well, as both professions strive for objectivity. For a recent example, see Rachel Dissel with Leila Attasi, [Words Used in Sexual Assault Police Reports Can Help or Hurt Cases](#), Cleveland Plain Dealer (July 21, 2010).

KEY CONCEPTS FOR THINKING AND WRITING ABOUT SEXUAL VIOLENCE

I believe we have a professional obligation to assess, the best we can, the vulnerability of individuals as we write stories about the most painful and difficult elements of their lives. As journalists, we generally write a story and move on. Those we write about will forever be connected to that story. We have a duty to show great care and concern.

Bob Steele, The Poynter Institute⁶

See section on [Statistics and Current Trends](#) for more background and details about these concepts.

12 Key Concepts

- Sexual violence is a continuum of behaviors that include, but are not limited to, rape, criminal sexual conduct, sexual assault, sexual abuse, sexual exploitation and sexual harassment.
- Most sexual violence is committed by someone known to the victim, not by a stranger.
- The vast majority of sexual assaults go unreported.
- Anyone can be a victim/survivor of sexual violence. Young people, old people, rich people, poor people, people of different races and ethnicities, straight people, gay/lesbian/bisexual/transgender people, people with disabilities.
- The victim/survivor may not report immediately after an incident. It can be difficult to share intimate details with friends, family, colleagues, medical providers, law enforcement, the courts – and potentially the wider public through the media. Some people believe a delay means the incident did not happen. There is no evidence, however, that points to this being the case, and the vast majority of sexual assault reports reflect an incident that did occur.
- There should be no confusion about where the blame belongs for a sexual assault—with the person who committed the offense. Whether a victim engaged in risky behavior, dressed provocatively, or had a lot to drink, the responsibility and blame for a sexual assault lies with the person who perpetrated the offense.
- Even though individuals perpetrate acts of sexual violence, society plays a role by normalizing sexual harm and accepting gender inequity, homophobia and sexual exploitation. Sex offenders must be held accountable, but they are products of our culture.
- Victims of sexual violence are also victims of trauma, which can have short-term and lifelong mental and physical health implications, both for the individual harmed and for secondary victims such as family members. The impact of sexual violence may depend on the nature of violence used, the relationship of the victim to the offender, history of previous traumatic events, the cultural or ethnic context of the violence, and the quality of support from friends, family and community.
- Even if the victim/survivor's experience becomes part of a court record or a media report, he/she is entitled to privacy, respect, dignity, and factual representation of what happened.
- Public policy must respond to sexual violence in a comprehensive manner, focusing both on prevention and intervention.
- Young people in particular need more information about preventing sexual violence and what it means to consent. They also need comprehensive sexual health education, information about

- healthy sexuality, and unfettered access to supportive medical or counseling services.
- People avoid the topic of sexual violence because it is uncomfortable. Talking about it in accurate and forthright manner can help discussions.

What is the reporter's role?

Acts of sexual violence are crimes committed without consent, sometimes with violence and coercion, sometimes against the most vulnerable among us. They transform lives forever. The media has an important role to play in improving this discussion.

- You can bring the issue forward by covering the untold stories of assault:
 - The many cases in which the perpetrator is known to the victim
 - The people who are particularly vulnerable, such as people with disabilities, children, elderly people, and Native women (see section on [Statistics and Current Trends](#))
- You can add context to individual incidents by:
 - Referring to the whole spectrum of sexual violence
 - Finding data on the prevalence of sexual violence and related issues
 - Contacting experts to make your story more compelling and accurate and to educate your readers/viewers
 - Counteracting myths and outdated attitudes

See the recent Minnesota Supreme Court decision [State v. Obeta, 796 N.W.2d 282 \(Minn. 2011\)](#) for a discussion of the prevailing societal attitudes about rape.

ETHICAL CONSIDERATIONS

What is news about sexual violence?

It's an old saying: "When dog bites man, it isn't news. When man bites dog, it is." By its nature, news often emphasizes the unusual. In the case of rape, an assault by a stranger on a dark night is news primarily because it is so unusual. Other unusual, sensational cases involve serial rapes, kidnapping, and assaults of very young or very old people. Yet for people with little knowledge of the topic, the unusual becomes the norm.

By far the more common form of sexual assault is the assault by an acquaintance or family member. The victim may not report because he/she is embarrassed, afraid, or wants to protect the offender. Also, the victim may believe that many people think he or she is lying.

Check yourself! Journalists, like anyone else, may hold false assumptions (see [Impact of Rape Myths](#) and [Key Concepts for Thinking and Writing About Sexual Violence](#)).

Should I use the victim's name?

As long as people have any sense of privacy about sexual acts and the human body, rape will, therefore, carry a stigma—not necessarily a stigma that blames the victim for what happened to her, but a stigma that links her name irrevocably with an act of intimate humiliation. To name a rape victim is to guarantee that whenever somebody hears her name, that somebody will picture her in the act of being sexually tortured. To expose a rape victim to this without her consent is nothing short of punitive.

- Helen Benedict, *Virgin or Vamp: How the Press Covers Sex Crimes*⁷

Many news organizations have adopted a policy of not identifying victims of rape or sexual assault. The following statement from the National Alliance to End Sexual Violence (NAESV) is a helpful discussion for organizations that have not adopted such a policy or are interested in updating current policy:⁸

Some people argue that journalists should identify victims of rape or sexual assault in news stories because they should be treated like any other crime victims. This position ignores important and unique aspects of the crimes of rape and sexual assault. Although rape and sexual assault occur at an alarming rate in our society, the vast majority of these crimes remain unreported. Victims remain silent because they fear being subjected to the intense public scrutiny and blame that often follow being named in the media. Our culture continues to condemn the victim for rape and, as a result, an extraordinary amount of shame and silence follow the crime. Publicizing the name of a rape complainant under these conditions only deters more victims from coming forward.⁹

NAESV urges members of the news media to adopt the following policy on publishing the names of persons who come forward with a charge of rape or sexual assault:

“It is the policy of this news organization not to publish the names of minors who come forward with allegations of sexual abuse or rape and to avoid reporting stories in such a way that these minors are identifiable. Barring extraordinary circumstances, it is also the policy of this news organization not to publish the names of adults who come forward with allegations of sexual abuse or rape unless those individuals are willing to be named in the media. Members of this news organization will report these stories with sensitivity toward the stigma associated with being publicly named.

Others argue that, until more people are named as sexual assault victims, the stigma attached to being a victim will not fade away. They contend that the news media should therefore publish the names of victims who come forward with allegations as a way to decrease the stigma of rape. The NAESV believes, however, that we should not advance social change on the backs of unwilling and traumatized victims, who have so recently been used for others’ ends.

Fortunately, many brave victims are increasingly willing to be named publicly. Part of their healing process may be to stand up and declare that they have no shame in what has been done to them and that the experience of rape is all too common in this culture. We ask that members of the news media report their stories, which are crucial for our society to hear.”¹⁰

News media outlets should also consider how and when to use names of friends or family members, location details and other information that may reveal the identity of a victim/survivor. In an increasingly connected world it is often quite easy to expose information that is meant to be hidden or protected.

How much detail should I include?

Details about the attacker may be relevant to the story (description, how access was obtained, whether a weapon was used, whether physical violence was involved). Details about the victim, however (private life, habits, manner of dress, physical appearance) can lead to blaming the victim without context or explanation. Also, they can give the reader a false sense of security that he/she will not be assaulted if the description does not apply to him/her. In addition, you may be reporting information before the victim or his/her family knows it. Some examples of victim-related details that can be harmful or misconstrued without further context:

- The victim dressed provocatively and/or was attractive.
- No weapons were used.
- The victim had no physical injuries.
- The victim was young (but not a child).
- The victim was being prostituted, was drunk, or willingly accompanied the offender.
- The victim previously had consensual sex with the offender.

How can an unbalanced story become balanced?

A 2011 *New York Times* story told of the gang rape of a 13-year-old girl in Texas. It used quotes from neighbors saying she dressed older than her age and hung out with teenage boys. The young men were described as high school athletes or related to prominent local figures. The story said they were “drawn

in” to committing the act. The article did not point out that an 11-year-old is unable to legally consent to sexual activity.

Arthur S. Brisbane, the public editor for the New York Times who received many complaints about the article, wrote, “The story dealt with a hideous crime but addressed concerns about the ruined lives of the perpetrators without acknowledging the obvious: concern for the victim...I hope [the follow-up story] delves more deeply into the subject because the March 8 story lacked a critical balancing element.”¹¹

In response to the public outcry about the article, the newspaper did publish a follow-up story providing more details about the crime and the challenges faced by the victim and her family.¹² This example provides a poignant recent example of how a news story can easily become slanted without the inclusion of important factual information about the persons involved and the nature of the crime.

What about online comments, blogs and social media?

As news reporting becomes more technology-driven, consider your news organization’s use of the following.

- Online comment. Many print media permit readers to make comments on a news story and do not censor or review the comments. Some of these comments are insensitive and hurtful to victims, with the writers hiding behind anonymity. Does your media outlet permit these for all stories, or are certain stories like those about sexual assault exempted from public comment? Are policy changes needed? How are the comments monitored?
- Blogs. If your organization hosts blogs, must they meet the same standards as regular news stories? Some bloggers have attached documents that contain identifying information about a victim, such as court filings. Under what circumstances is it journalistically necessary or ethical to post such documents?
- Social networking. Does your news organization use Facebook or other social networking sites? Are entries monitored? Ask questions on your Facebook page to get public opinion on issues. What standards or policies might need to be posted on your page?
- Twitter. Be cautious not to post an item about a breaking story when the facts are not yet in. As in all other cases, do not use names of victims in this public forum.

The following is a good resource on the dynamics of sexual assault cases in court:

- [Judges Tell: What I Wish I Had Known Before I Presided in an Adult Sexual Assault Case](#)
Developed by the National Judicial Education Program in conjunction with judges experienced in presiding over adult victim sexual assault cases, "Judges Tell" details the dynamics of such cases.

STATISTICS AND CURRENT TRENDS

We don't know as much about trends on sexual assault, because our data in this area is less reliable. General crime victim surveys chronically underreport sexual assault, and law enforcement data captures only that small percentage of crimes that are reported to police. I do think that sexual assault has emerged as an important policy issue, and negative attitudes towards victims are challenged in the media more than they used to be. We still have a long way to go to change attitudes that support violence against women, however, and especially among youth.

-Lynn Rosenthal, White House Advisor on Violence Against Women¹³

Differences in methodologies in studies should be noted whenever possible and it is just as important to understand what data is *not* included in a study as what is included.¹⁴ MNCASA is available as a resource for referrals to credible data sources and methods of interpretation. One recently developed resource, for example, spells out the methodologies in three major studies on intimate partner violence. See [*Apples to Oranges: Comparing Survey Findings from Selected National Surveys on Intimate Partner Violence*](#), developed by the National Resource Center on Domestic Violence.

Minnesota statistics

Few consistent statistics exist on the incidence and prevalence of sexual assault in Minnesota. Some studies, however, shed light on the scope of the issue.

- According to the *Costs of Sexual Violence in Minnesota*, published by the Minnesota Department of Health in 2007, sexual assault cost Minnesota more than \$8 billion in one year, 2005. This is three times the costs related to drunk driving. More than 61,000 Minnesota children and adults were sexually assaulted in 2005, some more than once, for a total of 77,000 assaults. Of the 61,000 people, 80% were female and 29% were under the age of 18. One in 70 children was sexually assaulted, with the highest rate occurring among girls aged 13-17.¹⁵
- By mid-life, 33% of Minnesota women have experienced a rape crime. Native American women in Minnesota (42%) have experienced a rape or attempted rape at higher rates than white women (25%).¹⁶

National statistics

- According to four national studies conducted over the course of 15 years, between one and six (16%) women and one in eight (13%) of men have experienced a completed rape in their lifetime.¹⁷ These numbers, based on crime reports, do not include all forms of sexual assault, and most cases are not reported. Data has focused on criminal sexual conduct that uses force and penetration, although the Federal Bureau of Investigation in the future will use broader definitions and will include male victims.¹⁸
- Contrary to still-prevailing popular belief, most sexual assaults are committed by someone known to the victim. According to the Bureau of Justice Statistics, two-thirds (66%) of victims know their attackers; 33% of attackers are strangers to their victims, according to a national

survey.¹⁹ Other recent studies show that stranger rapes account for 11% to 18% of rapes.²⁰

- According to the *National Intimate Partner and Sexual Violence Survey* (NISVS) published in 2011 by the Centers for Disease Control and Prevention, the vast majority of victims knew the perpetrator, often an intimate partner or acquaintance. The results indicated that nearly one in five women and one in 71 men have been raped at some point in their lives and that one in two women and one in five men have experienced sexual violence other than rape.²¹

Some Populations at Special Risk

Native American women and girls

*A U.S. Department of Justice study concluded that 34.1% of American Indian and Alaska Native women – or **more than one in three** – will be raped during their lifetime. Amnesty International’s interviews with women across Indian country found that most could not think of a woman within their community who had not been subjected to sexual violence.*

- Amnesty International: Maze of Injustice²²

- In its 2007 report to the Legislature on human trafficking in Minnesota, the Office of Justice Programs at the Minnesota Department of Public Safety estimated that at least 345 American Indian women and girls had been sexually trafficked in the previous three years.²³ In Duluth the community is enhancing their response to Native girls who have been lured off reservations, taken onto ships in port, beaten, and gang raped by the ships’ crews.²⁴
- The Minnesota Indian Women’s Sexual Assault Coalition (MIWSAC) conducted extensive interviews of American Indian women who have been trafficked, prostituted and abused. In 2011, MIWSAC published its report *Garden of Truth: The Prostitution and Trafficking of Native Women in Minnesota*.²⁵ Of the 105 women interviewed, 79% had been sexually abused as children by an average of 4 perpetrators, 92% had been raped and 48% had been used by more than 200 sex buyers during their lifetimes.²⁶

People with disabilities

In *The Promise of Primary Prevention*, the Minnesota Department of Health (MDH) reported that persons with developmental disabilities are four to ten times more likely than others to become victims of violence, abuse, or neglect.²⁷ A recent MDH report noted that.²⁸

- Children with disabilities are more than twice as likely as other children to be physically or sexually abused.²⁹
- In a study of 200 women with physical and intellectual disabilities, 53 percent had experienced sexual abuse during their lifetime.³⁰

In another study of women with intellectual disabilities, 83 percent had been sexually assaulted, and 50 percent of those had been assaulted 10 or more times.³¹

College Students

Sexual violence is common on college and university campuses. An estimated 20 to 25 percent of college

women in the United States are subjected to attempted or completed rape during their college careers.³² The Minnesota Department of Health (MDH) has worked with college administrators, campus sexual violence services, prevention advocates, and others to develop a prevention program for all Minnesota campuses. This work is summarized in the [Campus Kit](#) featured on the MDH website.

- [Repeat Rape and Multiple Offending Among Undetected College Rapists](#) In a survey of 1882 men on college campuses, 120 men self-reported acts which met legal definitions of rape or attempted rape. The repeat rapists averaged 5.8 rapes each.
- [Sexual Assault on Campus: A Frustrating Search for Justice](#) The Center for Public Integrity spent 12 months lifting the curtain on how colleges and universities respond to reports of sexual assault. What they found raises many concerns.
- [Student Guide to the Clery Act](#) Frequently asked questions about the important--and misunderstood--federal campus crime reporting law.
- [Reporter's Toolkit: Investigating Sexual Assault Cases on your Campus](#) This toolkit from the Center for Public Integrity serves as an introductory guide on how to investigate the ways your school deals with sexual assault allegations.
- [Beyond Rape: A Survivor's Story](#) A bold, groundbreaking, piece of journalism in which Joanna Connors turns her reportorial skills on her own sexual assault. Originally published in The Plain Dealer of Cleveland in May, 2008. Winner of the Dart Center for Journalism and Trauma Award.

Children and Youth

In Minnesota, nearly 18,000 children were victims of sexual assault in 2005.³³ The highest assault rate was among girls aged 13-17.³⁴ Girls of color are frequently the victims of sexual abuse.³⁵

Among Minnesota youth, four percent of ninth grade boys and five percent of twelfth grade boys have reported that someone they were dating forced them to have sex or do something sexual. This doubled for females: eight percent of ninth grade girls and 12 percent of twelfth grade girls made the same statement.³⁶

Research by the Women's Foundation of Minnesota shows that sexual assault often begins early in a girl's life, with 23% to 30% facing some form of harassment or "hostile hallways" in school. By the time these young women finish high school, about 12% report sexual assault by an acquaintance and by the time they finish college, 29% have been sexually assaulted.³⁷ The study reported health consequences beyond the assault: girls who have been sexually abused are three times more likely to have an emotional or mental health problem lasting longer than one year, twice as likely to suffer from depression, and three times more likely to purposely harm themselves. Further, an estimated 60% of teen pregnancies are the result of experiences with sexual abuse.³⁸

Older people

The National Elder Abuse Incidence Study estimates that more than 85 percent of the reported cases of abuse of older persons were perpetrated by a spouse, partner, other family member or trusted loved one.³⁹ In addition to sexual abuse, elders experience physical, psychological and emotional abuse, neglect, abandonment, financial exploitation, and homicide. From 1998 through 2002, more than 20 percent of Minnesota femicide victims were over age 50 and senior service providers estimate that only 1 of 24 incidents of abuse in later life is reported.⁴⁰

For additional information see the [Sexual Violence in Later Life Fact Sheet](#) prepared by the National Sexual Violence Resource Center.

Immigrants

Immigrants are particularly vulnerable to sexual violence because perpetrators count on victims (particularly those who are undocumented) to be too afraid to report the crime to law enforcement or to seek medical or other supportive services. The perpetrator may use immigration status as a tool for intimidation by withholding immigration paperwork, making threats to go to the authorities, threatening the victim's family in her home country, and failing to file applications for specific immigration status. Victims do have immigration relief available to them in the form of special procedures and visas but will usually require assistance from an advocate and an attorney (and must cooperate with law enforcement and prosecution) in order to obtain relief. There are several legal service providers in Minnesota with expertise in this area including the [Immigrant Law Center of Minnesota](#). For additional information see www.lawhelpmn.org.

Trafficked and Prostituted Individuals

The average age girls are prostituted or trafficked for sex is 12-14 years old.⁴¹ One study found that about 50% of adult women interviewed as part of a 2010 study focused on North Minneapolis stated that they first traded sex when they were under the age of 18, with the average at 13.⁴² This startling statistic challenges traditional notions that many individuals involved in prostitution, even as adults, have chosen this course.

A recent analysis by researchers and lead authors Lauren Martin and Richard Lotspeich found that early intervention to stop sexual exploitation of youth could result in a savings of \$34 to the state of Minnesota for every one dollar spent.⁴³

It is important to note that sex trafficking is not limited to the movement of victims across international borders; sex trafficking is very active on a domestic level and can involve movement of victims across state lines and between localities. The Federal Bureau of Investigation (FBI) has identified the Twin Cities as one of the nation's 13 largest centers for child prostitution.⁴⁴

Avoid, when possible, using the word "prostitute," which implies guilt in a crime. "Prostituted [girl, boy, woman, man, person]" is a more accurate term, as most adults and all children in prostitution are actually victims of someone else's crime.

For more information on prostitution and sex trafficking, see [Finding Experts in Minnesota and Nationally \(Appendix B\)](#).

Additional resources include:

University of Minnesota Humphrey Institute's Center on Women & Public Policy and the Women's Foundation of Minnesota, [Status of Women and Girls in Minnesota](#), 51-53 (2010).

Minnesota Office of Justice Programs Statistical Analysis Center, [Human Trafficking in Minnesota: A Report to the Legislature](#) (2010).

See also above section about Native American women for additional studies and resources.

Lesbian/Gay/Bisexual/Transgender/Queer or Questioning

Sexual assault is extremely harmful to victims of any gender or sexual orientation, but LGBTQ victim/survivors face additional barriers to post-assault services due to homophobia and transphobia.⁴⁵ Numerous studies also indicate that members of the LGBTQ community suffer disproportionate rates of sexual victimization compared to the general population.⁴⁶

Gay teens are more likely to report bullying which can take on sexual forms, as well as sexual harassment.⁴⁷ For example, harassment and violence against LGBTQ youth is “often sexualized, sometimes taking the form of unwelcome physical contact with sexual overtones.”⁴⁸

The National Sexual Violence Resource Center and the Pennsylvania Coalition Against Rape has put together an excellent and extensive information packet on this topic – [Sexual Violence and Individuals Who Identify as LGBTQ](#) – available online.

WHY SEXUAL VIOLENCE HAPPENS

Understandably, people want to know why sexual violence happens. Although some of the causes are related to the individual pathology of offenders, many seem to be related to a culture that supports, condones or ignores sexually violent messages and/or behavior. Sometimes described as a “rape culture,” these common beliefs, attitudes and practices allow for exploitive images of women and children in the media, the unequal status of women and children, and the assumption that women are sexually available, as examples.⁴⁹

There is no single cause of sexual violence; it is a multidimensional issue demanding response on several fronts. There is no “one size fits all” approach to this problem.

Most importantly, the responsibility for preventing sexual violence lies on the person committing the offense. Risk reduction on the part of the victim is not the same as prevention. Safety tips, self-defense classes, carrying weapons – none of these measures can ensure prevention of a sexual assault. They are intended to reduce the risk.

Why it is an underreported crime

Depending on the source, statistics indicate that 60% to 85% of victims do *not* report sexual assaults to law enforcement.⁵⁰ Sexual assault is the most underreported crime for several reasons, many related to victim fears and the prevailing cultural response.

Some of the most common concerns identified by victims are:

- Physical safety and worry about how the perpetrator may retaliate. Often a victim’s life or the lives of others are threatened during the violence.
- Having to go to court and testify about what happened – and having the story be reported in the news⁵¹
- Being afraid everyone will find out
- Not being believed
- Being blamed by others
- Becoming isolated from family and friends
- Blaming self for the violence, feeling embarrassment and shame
- Being punished for illegal activities they were engaged in when sexually assaulted (i.e., underage drinking, drug use, prostitution)

Sexual assaults committed by strangers are more likely to be reported: 41% of the rapes/sexual assaults committed by strangers were reported, compared with 27% committed by "non-strangers." Of the sexual assaults committed by someone in an intimate relationship, 24% were reported to police and 27% of those committed by a friend/acquaintance of the victim were reported.⁵²

Victims may feel that others will be more empathetic and less questioning of a victim’s actions in stranger attacks than when the offender is known. Further, if the victim fears for physical safety, a person he/she knows has more access and opportunity to retaliate than a stranger.

Cases of non-stranger or acquaintance rape are much less likely to be formally charged by prosecutors, and may be viewed with more suspicion by law enforcement, particularly when alcohol or drugs are involved.⁵³ These cases are often characterized as “he said/she said,” a term that can minimize the significance of the sexual assault.

WHO ARE THE PERPETRATORS OF SEXUAL VIOLENCE?

[S]exual aggression, in its many facets, represents institutionalized, normative behavior [and is] deeply ingrained and indelibly embedded in the social fabric.
- Robert Prency and Ann Wolbert Burgess, *Forensic Management of Sexual Offenders*⁵⁴

As the quote says, sexual aggression is normative, ingrained behavior for many people. Perpetrators of sexual violence are found throughout the general population. More often than not, public and media attention focuses on cases that reinforce stereotypes of sexual assault perpetrators as “sick,” mentally ill, lower class, or a member of a specific minority or ethnic group. The victim may not be believed when a perpetrator is instead a popular athlete, a well-connected attorney, a favorite teacher, or a respected member of the clergy.

In fact, it is not possible to distinguish individuals who commit sexual assault from other individuals. Assaults range from those who prey on strangers to those who use their relationship with the victim to exploit trust. Some use overt violence to overpower the victim; others coerce, bribe, isolate or intimidate the victim to gain control. Perpetrators represent all races, ethnicities, faith and socio-economic groups, and can be women as well as men.

Research shows that perpetrators seek vulnerable people to assault and exploit.⁵⁵ These include youth, persons with disabilities, the elderly, the homeless, transgendered individuals, people using alcohol or drugs, and those involved with prostitution. Perpetrators will continue to find vulnerable people to violate and exploit.

Convicted sex offenders in Minnesota

We know a great deal about convicted sex offenders in Minnesota because it is a relatively easy population to study. A few facts:

- In 2010, 600 offenders were sentenced for criminal sexual conduct offenses.⁵⁶
- In 2010 there were 143 cases sentenced for first degree criminal sexual conduct offenses. Of these, only 15 sexual assaults were committed by a stranger and only three by an unknown person.⁵⁷
- As of July 2008, there were 9,224 inmates in Minnesota prisons; 2,817 or 31% of them were defined as sex offenders.⁵⁸
- Of those 2,817, 1,626 were in prison for current sex offense convictions.⁵⁹
- The others had been previously convicted of sex offenses or were otherwise required to register as predatory offenders.⁶⁰
- The 2,817 offenders averaged 2.54 felony convictions per person.⁶¹

For more information, see the [Minnesota Sentencing Guidelines Commission](#)

The prison population reflects only one subset of the convicted sex offenders in Minnesota.

- In Minnesota, predatory offenders, including sex offenders, can be committed at the end of their prison sentence to a specialized treatment program called the Minnesota Sex Offender Program (MSOP). MSOP is housed in Moose Lake and St. Peter and is administered by the Department of Human Services, rather than the Department of Corrections.
- As of mid-2010, 575 offenders were committed to the MSOP (this number does not include 55 civilly-committed sex offenders who have been temporarily transferred to correctional facilities).⁶²
- Minnesota has the largest per capita population of sex offenders in civil commitment in the nation, with a program census rivaling California and Florida.⁶³
- More than 17,000 predatory offenders in Minnesota are required to maintain current registry of home address, work address, name changes, etc. with the Bureau of Criminal Apprehension. The information they register with the BCA is available to law enforcement agencies but not to the general public.⁶⁴

Comparing incarcerated and undetected rapists

Many want to know what motivates a person to commit sexual assault. According to the work of Dr. David Lisak, University of Massachusetts, Boston, and Paul M. Miller, Brown University School of Medicine, Providence, Rhode Island, rapists who have been apprehended, tried and convicted share the following characteristics:

- Extreme anger towards women, viewing them as objects to be conquered
- Desire to dominate; viewing violence in relationships as normal
- Hyper-masculine attitudes and beliefs
- Rigid sex-role stereotypes
- Belief in rape myths (for example, "no" means "yes")
- Less empathetic, generally, than non-rapists.⁶⁵

Lisak and Miller also identified a class of rapists who have never been arrested or prosecuted by criminal justice authorities. Because at least 80% of sexual assaults are never reported to law enforcement,⁶⁶ most rapists in our communities, on college campuses, and in the general public are those "undetected rapists." Lisak and Miller's studies have also suggested many commonalities between incarcerated and undetected rapists.⁶⁷

While these studies provide helpful information, it is also important to note that not all offenders will exhibit these types of behaviors in a public or obvious manner. We cannot readily identify the offenders among us. A report of a sexual assault may be the first red flag – and that is why it must be taken seriously.⁶⁸

SEXUAL VIOLENCE PREVENTION: CHANGING THE WAY WE TELL THE STORY

Imagine a world without sexual violence: People will be free of fear and of the effects -- often lifelong -- of sexual violence. Instead of building more prisons for offenders, our resources will be used to build schools, improve health care and community programs, create opportunities, and apply best practices to prevent sexual violence.

- The Promise of Primary Prevention of Sexual Violence, Minnesota Department of Health⁶⁹

Past focus on risk reduction

Historically, the prevention of sexual violence has focused on the individual at risk of being sexually assaulted. Risk reduction strategies – self-defense, safety tips, the buddy system, and programming for children about good or bad touch – suggest that the individual alone can prevent a sexual assault from occurring if that person is prepared. However, even when a person faithfully follows all of the suggested safety tips, he or she can still become a victim of sexual violence. Some risk reduction strategies may not be safe options for the victim. Risk reduction strategies may create a false sense of security. They may cause people to blame the victim if he or she failed to fight back in some manner.

What is prevention?

Prevention is much broader and more complex than reducing risks. It means addressing the root factors and societal causes that foster sexual violence in the first place. Prevention goes “upstream” to find ways to change social norms and community attitudes.

The norms that support sexual violence include these:

- gender inequity
- homophobia
- sexual exploitation of women, men and children
- high tolerance for violence

Prevention is a multifaceted approach, occurring at many levels. It requires action by many people: policy-makers, legislators, organization leaders, coalition members, service providers, educators, and individuals.

Working with people from these and other backgrounds, the Minnesota Department of Health developed [The Promise of Primary Prevention of Sexual Violence](#). The Sexual Violence Prevention website at MDH also reports on actions that have been taken to implement the prevention plan.

Another excellent resource on sexual violence prevention is the [Prevention Institute](#), located in Oakland, California.

Prevention coverage can result from an incident: the Jerry Sandusky/Penn State case

The Penn State child sex abuse scandal broke in 2011 as a result of longtime former university football assistant coach Jerry Sandusky's sexual assault of at least eight underage boys on or near university property, and alleged actions by some university officials to cover up the incidents or to enable more. Sandusky was indicted on 52 counts of child molestation and was eventually found guilty of 45 charges. Several high-level school officials were charged with perjury, suspended, or dismissed for covering up the incidents or failing to notify authorities. Most notably, school president Graham Spanier was forced to resign, and head football coach Joe Paterno and athletic director Tim Curley were fired. Sandusky maintained his innocence.

In its Fall/Winter 2012 newsletter, the National Sexual Violence Resource Center (NSVRC) reported on "Lessons learned in Bellefonte," the town where the trial took place. NSVRC, located nearby, was frequently contacted by news media. The organization prepared a media packet on sexual violence,⁷⁰ wrote letters to the editor, arranged news conferences, and wrote blogs. NSVRC encouraged media to keep their focus on the victims rather than on the college or the well-known Sandusky. NSVRC and Penn State cooperated to develop policies and protocols on sexual violence. NSVRC appealed successfully to the media not to disclose the names of the victims. "We wanted to support the young men who bravely came forward to tell what happened to them. And we wanted to support the media in their efforts to inform the public about child sexual abuse," the article stated. "We always knew sexual violence thrived in silence, but this year, that silence was broken."⁷¹

Resources on Framing

FrameWorks, an organization that conducts research into messaging on social issues, created [American Perceptions of Sexual Violence: A FrameWorks Research Report](#). The report offers expert discourse on sexual violence and how Americans talk and think about the topic.

INTERVIEWING A SEXUAL ASSAULT SURVIVOR

I have kept writing because I want rape to be unacceptable, not in polite conversation, but in our lives. . . . I don't want the details of this old story to be kept private any longer. I want a different world for women, for men, and for the children who inherit what we make of it.

-Patricia Weaver Francisco, *Telling: A Memoir of Rape and Recovery*⁷²

The following tips were prepared by William Cote and Bonnie Bucqueroux in *Covering Crime Without Revictimizing the Victim*, presented at the National Newspaper Association's Annual Convention, 1996:⁷³

Putting a name or face to any crime adds depth and personalizes a story. When covering a sexual assault crime, however, it is important for journalists to consider the victim's right to privacy and process for healing.

When a victim chooses to be interviewed, it is usually after a great deal of thought and typically only after court activity has concluded. Journalists should consider the difficulties in approaching a person who may still be suffering the lingering effects of trauma, anger, and grief.

Know what you are going to say: Prepare for the interview, outline points to make, and know what words or issues to avoid.

Make contact and ask permission: ... introduce yourself and your news organization. Set the tone by expressing your regret for the circumstances and your hope to communicate the issues important to the victim.

Be flexible: Offer to conduct the interview when the survivor is ready. Recognize that it might be hours or days from your initial approach. The result will be more open communication and a better interview.

Establish ground rules: Allow the survivor to have some control over the interview, in terms of where it is held and what is going to be discussed. Make sure that he/she knows that while you are there as a reporter, not as their friend, your goal is to help them tell their story. Be responsive to the victim's need to stop or to take a break.

Thank the survivor: Her/his testimony will likely further the public's understanding of the victim, and perhaps encourage other victims to come forward and seek help.

The National Sexual Violence Resource Center also offers these additional tips for talking with survivors:⁷⁴

Potential Triggers: "Certain situations, photos, words, sounds and smells can trigger memories from a survivor's assault and this can be very traumatizing. For example, a survivor could see a photo of the place where they were assaulted, and the photo becomes associated with the events that occurred there. Be mindful not to intentionally trigger victims of sexual violence."

Questions & Language Choices: "Avoid questioning 'why,' because this can be viewed as victim-

blaming and suggest that the victim somehow provoked the incident. Be mindful of this, because victims are never to blame for what happened to them. Instead ask open-ended, non-judgmental questions that allow survivors to share their stories.”

Describing Offenders: “Labeling perpetrators as ‘monsters’ sets them apart from the rest of society, and it implies a “them versus us” dynamic. Such labels can hinder people from reporting suspicions they may have about someone, because it challenges their concept of how ‘good people’ do ‘bad things.’ Human beings are complex, and no one is 100% good or 100% bad. Reporters should always try to use the most accurate language possible.”

For additional tips visit see NSVRC’s information sheet on [Talking with Survivors](#).

IMPACT OF RAPE MYTHS: THE KOBE BRYANT CASE

Myths about rape persist, despite progress in recent decades. A case in point is news coverage of the Kobe Bryant case.

In July 2003, the news media reported that the sheriff's office in Eagle, Colorado, had arrested NBA superstar Kobe Bryant in connection with a sexual assault complaint filed by a 19-year-old hotel employee. Bryant had checked into a hotel in Edwards, Colorado. The woman accused Bryant of raping her in his hotel room. Bryant admitted to an adulterous sexual encounter with the woman, but denied the assault allegation. The case was dropped after the woman refused to testify in the case. She later filed a civil suit against Bryant that was settled out of court and included Bryant's publicly apologizing, though admitting no guilt.

In 2009, Dr. Ranae Franiuk studied the prevalence and effects of rape myths in articles and headlines related to the case, which was discussed extensively in the media. Some members of the media aggressively pursued the young woman who reported the rape. Her identity was exposed and she was described in a derogatory way in the media.

The research team conducted four studies and concluded that exposure to rape myths in news articles and "verbally sparse headlines" can affect public opinion about offender culpability and even heighten male support for "rape-supportive attitudes."

One study gathered articles from 76 different news outlets and coded them for these rape myths:

- (1) She's lying;
- (2) She wanted it;
- (3) She asked for it;
- (4) Rape is trivial;
- (5) He didn't mean to;
- (6) He's not the type; and
- (7) It only happens to certain women.

The researchers found that 65% of the articles contained at least one rape myth, the most common being "she's lying" (42%). The study also revealed that only 8% of all articles suggested that Bryant committed the assault. Overall the articles were more likely to include positive statements about the defendant than the woman who reported the assault.

In another study, researchers analyzed the content of 555 headlines from the Bryant case and found that 10% contained rape myths (implying that the victim was lying was most prevalent). Many contained a favorable slant for Bryant such as mentioning his basketball star status. Also use of the term "accuser" rather than "alleged victim" has a negative connotation, suggesting that the accuser is harming the alleged perpetrator.

Dr. Franiuk concluded that the studies showed that some members of the media, like much of the public, are susceptible to negative cultural influences that may color their perceptions of sexual assault victims. Journalists need to be aware that consumers of news media include police officers, judges, jurors, policy makers, therapists, clergy, and many others in roles that have an immediate impact on sexual assault victims. Awareness and understanding of rape myths, their causes, and their consequences, can aid journalists in accurately reporting on sexual assault.

HOW MANY RAPE REPORTS ARE TRUE? THE VAST MAJORITY

Often when a high-profile rape case makes the news, it spawns widespread speculation about the truthfulness of the allegations. Many people believe that false accusation of rape occurs much more often than it actually does. This misconception can deter victims from reporting.

As indicated in the Kobe Bryant case, rape myths expressed in news headlines and articles made readers think the reported perpetrators were less culpable. The study found that the use of rape myths by news media make it more difficult for other victims to report (there was an 87% decrease in reports made to Colorado colleges and universities and 33% decrease in calls to rape crisis hotlines during the pendency of Bryant's case).⁷⁵

Most reports of rape are true

Credible studies estimate that only 2 to 8% of reported rapes are likely false.⁷⁶ A 2005 study, considered the largest and most comprehensive to date, found that only 3% of reported cases could accurately be classified as false allegations.⁷⁷ A 2006 study found only 2.1% of cases could accurately be classified as false.⁷⁸ A recent 10-year study of sexual assault reports taken on a college campus showed only 5.9% of the cases met criteria as false reports.⁷⁹ Taken together, these research studies show that the "American public dramatically overestimates the percentage of sexual assault reports that are false."⁸⁰

The difference between false and unfounded

There is a significant difference between a sexual assault classified by law enforcement as unfounded and a false allegation. Law enforcement officers may decide not to recommend a case for prosecution for many reasons, such as lack of corroborating evidence. *An unfounded case does not mean that a crime was not committed.* This assumption contributes to victims' fear that the public, law enforcement and others do not believe a crime occurred.

Journalists can educate the public through follow-up news stories on the outcome of a sexual assault case, or a general news story that fully explains the meaning of an unfounded case and also educates the public about the nature of sexual violence. *The Cleveland Plain-Dealer* and *The Baltimore Sun*, for example, recently published significant investigative stories on issues involving unfounded cases in their cities.⁸¹

Recantation

When a victim recants – or states that a report of sexual assault did not occur – this does not necessarily mean that the sexual assault report was untrue. Recantation can be the result of various negative influences including pressure from the perpetrator, family members or friends, overt threats of harm and intimidation to the victim or someone close to the victim from the perpetrator or others, or simply a desire by the victim to return things back to "normal" once so much attention has been placed on the victim by the system response.

APPENDIX A: DEFINITIONS OF COMMON TERMS AND CONCEPTS

Several terms are used, sometimes interchangeably, throughout this guide to discuss different aspects of sexual violence, those who perpetrate against others, and the persons affected. This glossary provides some of the most common terms that may come up when reporting on sexual assault and related issues, as well as explanations of the circumstances under which these terms are used. This is not an exclusive list.

Note that often the definitions refer to specific language found in Minnesota law or in common discourse among professionals who work in the field of sexual violence.

Some of these concepts are too complex to fully capture in a glossary definition so it is recommended that journalists seek out experts for further clarification. See [Finding Experts: Local, State, and National \(Appendix B\)](#).

Advocate: An individual from a rape crisis center or a sexual assault program who works with victims and survivors of sexual violence. An advocate provides emotional support and practical assistance with legal, social service, medical and other related issues. A “sexual assault counselor” as defined under Minn. Stat. §595.02(k) has specific obligations to protect survivor confidentiality, has undergone 40 hours of training, and works under supervision at a crisis center either as a staff member or volunteer.

Age of Consent: The age of consent for sexual activity in Minnesota is 16 (subject to legal limitations depending on the relationship between the parties; see “Position of Authority,” “Significant Relationship” and “Professional Relationship”).

Child Pornography: Child pornography is any sexually graphic material or any material produced for the purpose of sexual arousal that depicts children. It is unlawful and unprotected by the First Amendment. Minn. Stat. §617.247 addresses possession and dissemination of child pornography and Minn. Stat. §617.246 prohibits use of minors in a sexual performance. The term “child pornography” is the language of the law but many prefer the phrase “child sexual abuse images.”

Child Sexual Abuse: According to Minn. Stat. §626.556, subd. 2(d) “sexual abuse” means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child or by a person in a position of authority to any act that violates the criminal sexual conduct statutes. Sexual abuse also includes threats of sexual abuse as well as any act involving a child that constitutes a violation of prostitution offenses. See “Age of Consent,” “Significant Relationship,” “Position of Authority,” “Professional Relationship,” “Criminal Sexual Conduct,” and “Prostitution” for further information.

Child Sexual Exploitation: The sexual abuse and then further harm to a child through documentation of the abuse in pornography or through use in prostitution or trafficking. See “Child Sexual Abuse,” “Child Pornography,” “Commercial Sexual Exploitation,” “Prostitution” and “Sex Trafficking.”

Civil Case: A lawsuit seeking recovery in the form of monetary or non-monetary damages for physical and/or emotional injuries suffered by the plaintiff. A defendant is not incarcerated as a result of a civil case although may be held in contempt for not complying with court orders or incur financial penalties for not paying judgments as required. Civil cases may proceed regardless of whether the defendant was

charged with or convicted of a crime. The standard of proof is lower in civil cases (usually “preponderance of evidence” as opposed to “beyond a reasonable doubt” in criminal cases).

Civil Commitment: A “sexually dangerous person” or a person with a “sexual psychopathic personality” as defined by Minn. Stat. §253B.185, can be involuntarily committed by a court to an institution, i.e., the Minnesota Sexual Psychopathic Personality Treatment Center in Moose Lake. A sexually dangerous person must have engaged in a course of “harmful sexual conduct” in the past, must manifest a sexual, personality, (?) or other mental disorder or dysfunction, and, as a result of this mental disorder or dysfunction, the person must be deemed likely to engage in future acts of harmful sexual conduct. Civil commitment usually follows incarceration in a correctional facility and lasts for an indeterminate period of time.

Coercion: According to Minn. Stat. §609.341, subd. 14, coercion is the use by an actor of words or circumstances that cause the victim to reasonably fear that the actor will inflict bodily harm upon the victim or another person, or the use by the actor of confinement, or superior size or strength, against the victim that causes the victim to submit to sexual penetration or contact against the victim’s will. Coercion does not require proof of a specific act or threat.

Commercial Sexual Exploitation: The abuse and use of human beings as sex objects to be bought and sold for abusive sexual purposes for commercial monetary gain. See “Prostitution” and “Trafficking”

Community Notification: The purpose of community notification is to inform those most at risk about a predatory offender in their community who is likely to re-offend (see Minn. Stats. §§244.052-53). To be subject to community notification, offenders are required to register as a predatory offender and be sent to prison or committed to a residential treatment facility for their crime. Offenders are assigned risk levels (one, two or three) at end of confinement review hearings approximately 90 days before their release. The risk level determines whether and how much information on the offender may be disclosed to others outside of law enforcement. Level three offenders – deemed most likely to re-offend – are made known to the broader public and are often the subjects of community notification meetings.

Common Victim Behaviors: Sexual assault of any kind can result in a host of reactions - some are immediate, some are long term. The variety of reactions may depend on the victim's previous life experience, the kind of force used, the relationship of the offender of the victim, the age of the victim, etc. Most victims experience levels of fear, anger, self-blame, depression and anxiety that can be exhibited both emotionally and physically. Difficulty sleeping and concentrating, nightmares, flashbacks, emotional numbing are all common reactions to sexual assault. It is important to note that victim responses are unique to each person. See *State v. Obeta*, 796 N.W.2d 282 (Minn. 2011) for recent Minnesota case law on this issue.

Consent: According to Minn. Stat. §609.341, subd. 4, consent means words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent is not automatically conferred if there is the existence of a prior or current social relationship between the actor and the victim or if the victim failed to resist a particular sexual act. A person who is mentally incapacitated or physically helpless (both defined below) cannot consent to a sexual act. Minors who are under the age of 16 or in certain relationships with the actor (up to the age of 18) cannot consent to sexual activity (see definitions of “Age of Consent,” “Position of Authority” and “Significant Relationship” as well as “Professional Relationship” below). Corroboration of the victim’s testimony is not required to show lack of consent.

Criminal Case: A case brought against a defendant by the State of Minnesota. The state does not represent the victim. In a criminal case, a defendant who is found guilty may be incarcerated and/or be put on probation, as well as ordered to pay fines and restitution.

Criminal Sexual Conduct: The legal term used for sexual assault or rape in Minnesota. This term is used to consolidate and define a number of related crimes in statute. The word “rape” is not found in Minnesota law. The “degrees” of criminal sexual conduct (ranging from first to fifth degree) set forth the

elements of the different crimes according to the presence or absence of certain statutory requirements including, but not limited to, use of force or coercion, sexual penetration or sexual contact, age of the victim, relationship between the victim and actor, and prior offenses by the actor (see Minn. Stats. §§609.341-3451).

Defendant: The person accused of criminal sexual conduct (not yet convicted) or the person being sued in civil matter.

Domestic Violence: Although sexual abuse often occurs in the context of domestic violence, it is not always present (and is sometimes committed by a stranger to the victim) and therefore the terms should not be used interchangeably. Domestic violence encompasses a wide range of controlling, coercive, intimidating and violent behaviors used by a batterer to remove a victim's autonomy and assert power or dominance over the victim (the batterer and victims can be a partner, spouse, family or household member, caregiver, persons with a child in common, a man and a woman if the woman is pregnant and the man is the alleged father; see Minn. Stat. §518B). See "Intimate Partner Sexual Abuse."

Drug Facilitated or Alcohol Facilitated Sexual Assault: Sexual assault committed through aid of alcohol, drugs (over-the-counter, prescription or illegal), or other substances to create additional vulnerability in the victim.

Erotica: Literary or artistic works having an erotic theme; especially books depicting sexual relationships in a sensuous manner. The word "erotica" typically applies to works in which the sexual element is regarded as part of the larger aesthetic aspect. Erotica uses primarily positive images of sexuality as opposed to images of degradation or violence.

Evidentiary Exam or Rape Kit: Evidentiary exams of the victim can uncover physical evidence, such as hair, fibers, and/or bodily fluids from the assailant, as well as note any observable injury or trauma. The goal of the exam is to locate and preserve anything that will prove an assault occurred and identify a suspect. Exams are performed up to anywhere from 72 to 120 hours after the assault, depending on local policy. The Bureau of Criminal Apprehension (BCA) may process the kit when the victim decides to make a report to law enforcement. At the time of an exam, medical personnel will also screen for and address medical conditions that may require treatment, such as sexually transmitted infections, pregnancy, and physical trauma. A victim may receive an evidentiary exam regardless of whether she plans to report the sexual assault to law enforcement, and the victim is not responsible for the cost of the exam (see Minn. Stat. 609.35). Note that sometimes suspects may also undergo an exam in which physical evidence from the victim may be sought as well as injuries to the suspect that may be the result of defensive actions taken by the victim such as scratches left by fingernails.

Felony: A crime for which a sentence of more than one year can be imposed (see Minn. Stat. §609.02, subd. 2).

Force: The infliction, attempted infliction or threatened infliction by the actor of bodily harm or commission or threat of any other crime by the actor against the victim or another, which (a) causes the victim to reasonably believe the actor has the present ability to execute the threat and (b) if the actor does not have a significant relationship to the victim, also causes the victim to submit (see Minn. Stat. §609.341, subd. 3). [Note: phrases a and b are not parallel]

Grooming: The careful and deliberate process through which a perpetrator gains the trust of another – usually a child. The result of grooming is that a victim may not understand that a crime has occurred and therefore the victim may be reluctant to disclose the incident to others. The perpetrator will minimize accountability and actions by claiming the victim was "willing."

Incest: Sexual abuse that is committed by one family member against another. Also called familial sexual abuse, incest can be committed by a parent, sibling, other family member, or an unrelated person living with, or treated as part of the family. See Minn. Stat. §609.365.

Internet-Facilitated Crimes Against Children: When children are sexually abused, exploited or in other

ways harmed via the internet. See, for example, Minn. Stat. §609.352, which includes electronic solicitation of children.

Intervention: Intervention is most commonly used to describe actions to stop abuse or violence once it starts, i.e., to interrupt the behavior of one who is perpetuating a crime as soon as possible and hold the person accountable for the crime while helping the one who is harmed to report and navigate the system response. See for comparison “Prevention.”

Intimate Partner Sexual Abuse: This is hidden but frequent aspect of domestic violence and encompasses a continuum of behaviors committed by one partner in a relationship, ranging from verbal degradation relating to sexuality to sexual abuse, including rape, and torture. It is important to note that the presence of sexual abuse in the context of domestic violence is considered a lethality factor, meaning that the violence is more likely to result in death of the victim. Intimate partner sexual abuse can occur in dating relationships, marriages or long term gay or lesbian relationships, and is unlawful regardless of previous sexual contact.

Juveniles with Sexual Behavior Problems: Rather than labeling children or young people as “sex offenders” or “sexual perpetrators” it is strongly preferred to reference their behavior separately, i.e. a child with sexual behavior problems. This preference is not intended to minimize the seriousness of the act or diminish accountability but to reinforce the goal of rehabilitation so that a young person has an opportunity to receive help early in life so as to curb additional instances of criminal behavior as an adult.

Marital Rape: Sexual assault against a legal spouse is a crime in Minnesota although there are exceptions under the law for certain relationships. See Minn. Stat. §609.349.

Mentally Impaired: A person who has inadequately developed or impaired intelligence or a substantial psychiatric disorder of thought or mood, lacks the judgment to give a reasoned consent to sexual contact or sexual penetration (see Minn. Stat. §609.341, subd. 6).

Mentally Incapacitated: A person under the influence of alcohol, a narcotic, anesthetic, or any other substance, administered to that person without the person’s agreement, lacks the judgment to give a reasoned consent to sexual contact or sexual penetration (see Minn. Stat. §609.341, subd. 7).

Misdemeanor: A crime for which a sentence of not more than 90 days or a fine of not more than \$1,000, or both, may be imposed. A “gross misdemeanor” means any crime which is not a felony or misdemeanor. The maximum jail time is up to one year and the fine that may be imposed is \$3,000 (see Minn. Stat. §609.02, subs. 3 and 4).

Nonstranger Rape: An umbrella term used to describe sexual assaults in which the survivor and the perpetrator know each other (sometimes referred to as “acquaintance rape” or “date rape” although “nonstranger rape” is the preferred term). The perpetrator may be a passing acquaintance or someone with whom the survivor has some sort of relationship such as a co-worker, friend or family friend, or neighbor. It is also possible that the perpetrator is – or was – in an intimate relationship with the survivor (i.e., date, partner, spouse, other family member; see “Intimate Partner Sexual Abuse”).

Normalization of Sexual Harm: When something goes from being widely accepted as harmful and wrong if not illegal to becoming accepted as “just the way it is” or “no big deal.”

Offender: Used to describe a person who has committed criminal sexual conduct.

Pedophile: Pedophilia is a specific diagnosis and is listed in the DSM-IV as one of several paraphiliac (sexual deviation) mental disorders. It specifically refers to an adult who is sexually attracted solely or primarily to children, usually prepubescent. It is important to note that a large percentage of persons who sexually abuse or are sexually interested in children are not pedophiles. Further, not all who are sexually attracted to children act on their attraction.

Perpetrator: Used to describe a person who has committed criminal sexual conduct. Within the criminal justice context, “perpetrator” describes someone who has been convicted of a crime.

Physically Helpless: Means that a person is (a) asleep or not conscious, (b) unable to withhold consent

or to withdraw consent because of a physical condition, or (c) unable to communicate nonconsent and the condition is known or reasonably should have been known to the actor (see Minn. Stat. §609.341 subd. 9).

Pornified Culture: A culture with easy access to violent pornography, meaning exposure to hyper-sexualized and pornified imagery is inescapable whether or not one is seeking it out and creates barriers around the dissemination of positive sexual imagery and messages. See “Pornography” and “Sexually Toxic Culture.”

Pornography: Sexually graphic material that combines sex with violence, degradation mistreatment, humiliation, or abuse. This includes the making of pornography when it involves violence, bribery and coercion, even if none is depicted. It is important to note that there is not agreement among those who are working to end sexual violence that all pornography is automatically and by nature abusive. Expressions of sexuality in our culture are often targeted, misunderstood and demonized, which makes conversations around this issue particularly challenging and emotionally charged.

Position of Authority: Includes, but is not limited to, any person who is a parent or acting in the place of a parent and charged with any of a parent’s rights, duties or responsibilities to a child, or a person who is charged with any duty or responsibility for the health, welfare, or supervision of a child, either independently or through another, no matter how brief, at the time of the act (see Minn. Stat. §609.341 subd. 10). For these purposes a “child” is considered anyone under the age of 18.

Posttraumatic Stress Disorder: According to the DSM-IV, the criteria for posttraumatic stress disorder (PTSD) involves development of characteristic symptoms following exposure to an extreme traumatic stressor (such as sexual assault) involving direct personal experience of an event that involves actual or threatened death or serious injury, or other threat to one’s personal integrity; or witnessing an event that involves death, injury, or the threat to the physical integrity of another person; or learning about unexpected or violent death, serious harm or threat of death or injury experienced by a family member or other close associate. Not all victims of sexual assault or other traumatic events suffer from PTSD, which requires a clinical diagnosis.

Prevention: A broad spectrum of actions that include helping those who have been harmed to heal, eliminating recidivism or revictimization, and reducing one’s risk of being victimized. Primary prevention refers to actions intended to change conditions before any type of sexual harm, abuse, exploitation or violence is ever perpetrated. See “Intervention,” “Recidivism” and “Revictimization.”

Professional Relationship: The criminal sexual conduct statutes specify certain professional relationships that cannot be breached such as psychotherapist, massage therapist, member of the clergy (not married to the victim), an agent of special transportation service for vulnerable persons, a corrections officer, or an employee at a secure treatment facility for sex offenders such as the Minnesota Security Hospital at St. Peter and the Minnesota Sex Offender Program at Moose Lake (see e.g. Minn. Stat. §§609.344 and 609.345). While other professions may not be cited in the statutes sexual contact between the professional and client a violation of ethical conduct could lead to suspension or revocation of licensure.

Prostituted: When one is used as a sexual commodity, and thus bought and sold, that person is being prostituted or trafficked. The preferred language to use is “prostituted” instead of “prostitute” and, in the case of a child, “child sexual exploitation.” See “Child Sexual Exploitation,” “Prostitution” and “Trafficking.”

Prostitution: Offering to hire, hiring, or agreeing to hire another to engage in sexual contact or sexual penetration (patron); or offering to be hired, being hired, or agreeing to be hired by another to engage in sexual contact or sexual penetration (prostitute) (see Minn. Stat. §609.324). Prostitution is often trivialized and inaccurately referenced as “erotic” services.

Public Law 280: Public Law 280 (PL 280) (18 U.S.C. §1162, 28 U.S.C. §1360) affects all Indian country within Minnesota except for the Red Lake and Bois Forte Reservations. PL 280 is a complicated law and

there is often confusion as to when state, federal and/or tribal authority applies to a specific matter. In effect, PL 280 eliminated most federal criminal jurisdiction in Indian country. PL 280 states are empowered to apply their own criminal laws to Indians and non-Indians alike for crimes occurring in Indian country; so too, state laws are applied to civil matters against Native Americans arising in Indian country. PL 280 does allow for concurrent jurisdiction, meaning tribal authority over a matter can still exist at the same time as state authority without fear of double jeopardy (because two different sovereigns are prosecuting the matter). Tribes can establish their own courts and law enforcement departments. Over the years, many problems have been identified in PL 280 states related to differences between tribal and state authorities in responding to crimes, lack of effective cooperative arrangements, cultural insensitivity on the part of state responders, lack of recognition for tribal law enforcement by state counterparts, and uneven – at best – response by state to crimes committed against Native Americans (particularly by non-Indians in Indian country). For additional explanation about the complexities around PL 280 and other laws and policies affecting criminal and civil jurisdiction in Indian Country such as the recently enacted Tribal Law and Order Act seek resources from the Tribal Law & Policy Institute at www.tribal-institute.org.

Rape: Criminal sexual conduct involving penetration. Note that the term “rape” does not appear in Minnesota’s criminal sexual conduct statutes.

Rape Shield Law: Rape Shield laws limit the use of a victim’s prior sexual history by the defense in an attempt to undermine the credibility of the victim’s testimony in a criminal sexual conduct case. In Minnesota, such evidence can be admitted only if its probative value is not substantially outweighed by its inflammatory or prejudicial nature. When consent of the victim is at issue, evidence of the victim’s previous sexual conduct with the defendant may be admitted as well as evidence that may establish a common scheme or plan (but the judge must first find that the victim made prior false allegations of sexual assault). Evidence of the victim’s previous sexual conduct may also be admissible to determine source when the prosecution’s case includes evidence of semen, pregnancy or disease at the time of the incident (or, in the case of pregnancy, between the time of the incident and trial) (see Minn. Stat. §609.347, subd. 3 and Minnesota Rules of Evidence 412).

Rape Trauma Syndrome: Developed by Ann Burgess and Lynda Holmstrom during the early 1970’s, Rape Trauma Syndrome (RTS) tracks a pattern of psychological reactions to sexual assault. RTS is not listed in the DSM-IV and has largely fallen out of favor in recent years. The preferred means of characterizing victim reactions to sexual assault is “common victim behaviors,” although it is important to note that this term refers to a range of behaviors and victims react differently to the traumatic event of sexual assault. The Minnesota Supreme Court decision *State v. Obeta*, 796 N.W.2d 282 (Minn. 2011) indicated that RTS should not be referenced in criminal sexual conduct cases, although other means of describing victim behavior may be allowed. See “Common Victim Behaviors.”

Recidivism: A return to offending behavior after a period of abstinence or being offense-free; the tendency to relapse into a certain mode of behavior.

Registration: Most convicted sex offenders are required to register as predatory offenders with the state in order that law enforcement can keep track of a registrant’s whereabouts and better facilitate the investigation of crimes (see Minn. Stat. §243.166).

Reparations: A crime victim may request reparations from the State of Minnesota if the crime is reported and the victim or a dependent (or a victim’s estate) has incurred a loss. Reparations may include recompense for expenses incurred as a result of the crime, such as medical bills. A board decides eligibility and determines what amounts will be awarded (see Minn. Stat. §611A.53). Reparations awards require cooperation with law enforcement (even if the case is not charged).

Restitution: A crime victim has the right to receive restitution from the offender as part of a criminal proceeding if the offender is convicted. A judge orders restitution, whereas reparations, as described above, are distributed by a state fund. A victim may receive both reparations and restitution so long as

covered expenses are not duplicated. A request for restitution may include, but is not limited to, any out-of-pocket losses resulting from the crime such as medical and therapy costs, replacement of wages and services, and funeral expenses (see Minn. Stat. §611A.04).

Restorative Justice: The restorative approach is one in which the person who does the harm is held accountable and the needs of the victim and the community are addressed. A restorative approach guides practitioners to work in ways that are victim-centered and will help the person who did the harm to make amends to both the victim and the community while also preparing the offender to become a positive and contributing community member. Victims are not required to participate in the restorative justice process – it is a voluntary activity and should not serve as an opportunity for revictimization. See “Revictimization.”

Restraining Orders: Orders for protection apply to persons in a familial or intimate relationship (also household members). Harassment restraining orders are available regardless of relationship. No contact orders or domestic abuse no contact orders are also available in the context of criminal proceedings. Violations of protective orders may carry criminal penalties and may impact offender access to firearms (see Minn. Stats. §518B and §609.749).

Revictimization: A separate and additional act of sexual aggression or violence. Also the process of causing additional harm to a victim of sexual assault such as when friends, family, professionals or the media misunderstand or – deliberately or not – deny or minimize the harm of the victim’s experience.

Safety Plan: The process of ensuring that a victim has adequate protections in place including protective orders, alternative housing or shelter and address confidentiality. Safety planning is particularly prevalent in instances of intimate partner sexual abuse but may apply in other cases as well.

Sexual Abuse: An act or repeated acts of sexual harm, sexual assault or rape of a child or vulnerable adult over time by a person in statutorily specified relationship to the victim. See Minn. Stats. §§626.556 and 626.557.

Sexual Assault: Sexual acts (which may include penetration or specific contact) that are conducted against someone’s will by force or threat of force or through coercion or in situations in which an individual is unable to give consent.

Sexual Assault Nurse Examiner (SANE): A specially trained and certified registered nurse or nurse practitioner who conducts the evidentiary exam of a sexual assault victim.

SANE Program: A freestanding program or project of a clinic, hospital, or rape crisis center specifically established for the purpose of conducting forensic exams (evidence collection) and providing medical treatment in sexual assault cases.

Sexual Addiction: Debates continue as to whether certain sexual behaviors, such as use of internet pornography, can be an addiction but qualities of an addiction that relate to this term include cravings and use in ways that interrupt normal work or personal activities and that are disruptive to healthy relationships to point that a person is unable to stop.

Sexual Development: There are many studies that identify sexual behaviors that fit with each age and stage of a child’s development. What may be perceived as “normal” sexual development is challenged by the advent of exposure to hypersexualized imagery at younger and younger ages.

Sexual Harm: Any words or behavior that result in the target being sexually harmed by the action.

Sexual Health: Sexual health involves physical, emotional, relational and spiritual as well as broader cultural elements. Being sexually healthy is far more than being disease-free. It includes understanding how one functions as a sexual being, related feelings and beliefs, and the ability to have a mutually beneficial, caring, intimate connection within a relationship.

Sexually Toxic Culture: A culture in which incidents of sexual exploitation and violence are frequent. Mass media has mainstreamed pornified images that fuse sex with violence and objectification while minimizing healthy human relationships and healthy sexuality. See “Pornified Culture.”

Sex Trafficking: The receiving, recruiting, enticing, harboring, providing, or obtaining by any means an

individual to aid in the prostitution of an individual; or receiving profit or anything of value, knowing or having reason to know it is derived from any of the above acts (see Minn. Stats. §609.321, subd. 7a and §609.322).

Sexting: The act of sending sexually explicit messages or images electronically. See Minn. Stat. §609.321.

Sexual Assault Multidisciplinary Response Team (SMART): A community-based approach to providing a comprehensive response to sexual assault survivors. A SMART (or in some cases “sexual assault response team”) brings together representatives from medical, law enforcement, prosecution, advocacy, social services and other disciplines with the goal of working together to improve all aspects of the system response to sexual violence. There are 11 teams in Minnesota serving the following counties: Beltrami/Clearwater County (plus the Red Lake and Leech Lake Reservations), Carver, Hennepin, Goodhue, Isanti, Itasca, Lyon, Olmsted, Ramsey, Southern St. Louis and Rice.

Sexual Assault Program or Rape Crisis Center: A program established to provide confidential, emergency and ongoing support and assistance to victims of sexual assault at no charge, regardless of age, race, gender, sexual orientation, economic status, ability, and political or philosophical beliefs. Some programs in Minnesota provide culturally based services.

Sexual Contact: Includes any of the following acts, committed without the victim’s consent (note that in some cases consent is not a defense) and with sexual or aggressive intent: 1) the intentional touching by the actor of the victim’s intimate parts, 2) the touching by the victim of the actor’s, the victim’s, or another’s intimate parts, 3) the touching by another of the victim’s intimate parts; 4) in any of the cases listed above, touching of the clothing covering the immediate area of the intimate parts; or 5) the intentional touching with seminal fluid or sperm by the actor of the victim’s body or the clothing covering the victim’s body (see Minn. Stat. §609.341, subd. 11). Sexual contact offenses are included in second, fourth and fifth degree criminal sexual conduct (see Minn. Stats. §§609.343, 345 and 3451).

Sexual Harassment: Unwanted and unwelcome sexual behavior that interferes with an individual’s life, work, housing or education. This behavior can include verbal or physical acts, demands for a “quid pro quo” (i.e., sexual affairs in exchange for rent or job advancement), and other acts that create an intimidating and hostile environment. There are federal and state legal protections pertaining to sexual harassment.

Sexual Penetration: Includes any of the following acts, committed without the victim’s consent (note in some cases consent is not a defense), whether or not emission of semen occurs: 1) sexual intercourse, cunnilingus, fellatio, or anal intercourse or 2) any intrusion, however slight, into the genital or anal openings, of 1) the victim’s body by any part of the actor’s body or any object used by the actor for this purpose, 2) of the victim’s body by any part of the body of the victim, of another person, or by any object used by the victim or another person for this purpose (see Minn. Stat. §609.341, subd. 12). Sexual penetration offenses are included in first and third degree criminal sexual conduct (see Minn. Stats. §§609.342 and 344).

Sexual Violence: A broad term encompassing a continuum of behaviors that include, but are not limited to, rape, criminal sexual conduct, sexual assault, sexual abuse, sexual exploitation and sexual harassment.

Significant Relationship: Means a situation in which the actor is 1) the victim’s parent, stepparent, or guardian, 2) any of the following persons related to the victim by blood, marriage or adoption: brother, sister, stepbrother, stepsister, half-brother, half-sister, first cousin, aunt, uncle, nephew, niece, grandparent, great-grandparent, great-uncle, great-aunt, or 3) an adult who jointly resides intermittently or regularly in the same dwelling as the victim and is not the victim’s spouse (see Minn. Stat. §609.341, subd. 15). For these purposes a “child” is considered anyone under the age of 18.

Suspect: Someone being investigated for a crime, before the filing of criminal charges.

Stalking: A course of conduct directed toward a specific person that would cause a reasonable person to feel fear (even if the actor does not intend to cause fear). Stalking behaviors can include following,

spying, unwanted phone calls, text messages, letters or gifts, waiting at places for the victim, monitoring computer use, and other behaviors. The identity of a stalker may be known or unknown to the victim (see Minn. Stat. §609.749).

Survivor: For purposes of this manual, used to describe the individual who was assaulted. Advocacy groups use this term largely to acknowledge the strength of an individual who endures trauma such as a sexual assault. Not every individual refers to herself or himself as a survivor and when interviewing victims/survivors, reporters are encouraged to use the term preferred by the individual (see also “Victim”).

Vicarious Trauma: Often advocates, law enforcement, prosecutors and other professionals who work with victims and survivors of traumatic events may also experience symptoms of trauma due to exposure to stories and images related to sexual assault. These professionals also need support so they are able to continue their work without burnout or other serious impact.

Victim: Used to describe the individual who was assaulted. This word is most commonly used in the criminal justice system, in the laws, in media and by the general public. (see also “Survivor”).

Victim Rights: Chapter 611A of the Minnesota Statutes outlines a vast array of rights for victims (and witnesses) throughout all aspects of the criminal justice system, from investigation to prosecution, conviction, incarceration and probation.

Violence Against Women: Violence committed on the basis of gender. This term is used to encompass all forms of violence perpetuated against women and girls including sexual assault, domestic violence, child sexual abuse, prostitution and sex trafficking, and abuse in later life, among other crimes.

APPENDIX B: FINDING EXPERTS

Minnesota Resources

Updated Minnesota contacts coming soon

National Resources

The Advocates for Human Rights

Minneapolis, MN

Phone: 612.341.3302

Website:

www.theadvocatesforhumanrights.org

(resources on human rights, women's rights, immigration, trafficking)

Breaking Free

St. Paul, MN

Phone: 651.645.6557

www.breakingfree.net

(resources and services re: trafficking and prostitution)

Bureau of Justice Statistics

Washington, DC

Phone: 202.307.0765

Website: www.ojp.usdoj.gov/bjs/

(general government statistics on sexual assault crimes)

Civil Society

St. Paul, MN

Phone: 651.291.0713

Website:

www.civilsocietyhelps.org/htw/HOME.html

(resources and services re: trafficking)

Counterquo

Website: www.counterquo.org

(resources and statistics about sexual assault; debunking myths)

Criminal Justice Journalists

Washington, DC

Phone: 202.448.1717

Website: www.reporters.net/cjj/index.html

(professional organization for journalists)

The Dart Center for Journalism & Trauma

Columbia University School of Journalism

New York, NY

Phone: 212.854.8056

Website: <http://dartcenter.org>

(research and resources for journalists)

End Violence Against Women International

Addy, WA

Phone: 509.684.9800

Website: www.evawintl.org

(training for professionals and conferences on criminal justice response)

FORGE

Milwaukee, WI

Phone: 414.559.2123

Website: www.forge-forward.org

(resources, support and training re: transgender survivors)

The Gay, Lesbian and Straight Education Network

New York, NY

Phone: 212.727.0135

Website: www.glsen.org

(safe schools advocacy)

Legal Momentum

New York, NY

Phone: 212.925.6635

Website: www.legalmomentum.org

(training for criminal justice response)

Male Survivor

New York, NY

Phone: 800-738-4181

Website: www.malesurvivor.org

(awareness re: sexual violence against men and boys)

Mending the Sacred Hoop

Duluth, MN

Phone: 218.623.HOOP or 888.305.1650

Website: www.mshoop.org

(focus on ending violence against Native women and children)

Minnesota Chapter of the Association for the Treatment of Sexual Abusers

Website: www.mnatsa.org

(professional association of treatment providers)

Minnesota Coalition Against Sexual Assault

St. Paul, MN

Phone: 651.209.9993 or 800.964.8847

Fax: 651.209.0899

Website: www.mncasa.org

(statewide membership for sexual assault victim service programs; resources and training; public policy response)

Minnesota Coalition for Battered Women

St. Paul, MN

Phone: 651.646.6177

Website: www.mcbw.org

(statewide membership for domestic violence victim service programs; resources and training; public policy response)

Minnesota Department of Health Sexual Violence Prevention Program

St. Paul, MN

Phone: 651.201.5483

Website: www.health.state.mn.us/svp

(statewide data and statistics, research reports, information clearinghouse)

Minnesota Indian Women's Sexual Assault Coalition

St. Paul, MN

Phone: 651.646.4800 or 877.995.4800

Fax: 651.646.4798

Website: www.miwsac.org

(statewide membership for Native sexual assault victim service programs; resources and training)

Minnesota Men's Action Network/Men as Peacemakers

Duluth, MN

Phone: 218.727.1939

Website: www.menaspeacemakers.org

(resources and training to raise awareness of men's role in stopping violence)

National Alliance to End Sexual Violence

Website: www.naesv.org

(resources on federal Violence Against Women Act and other federal legislation)

National Child Protection Training Center

Winona State University

Winona, MN 55987

Phone: 507.457.2890

Website: www.ncptc.org

(resources and training, information clearinghouse on child protection issues)

National Crime Victims Law Institute

Lewis & Clark Law School

Portland, OR

Phone: 503.768.6600

Website: www.law.lclark.edu/centers/national_crime_victim_law_institute/

(national resource on victims' legal rights and protections)

National Network for Missing and Exploited Children

Alexandria, VA
Phone: 703.224.2150
Website: www.missingkids.com
(national clearinghouse on information about missing and exploited children)

National Sexual Violence Resource Center

Enola, PA 17025
Phone: 877.739.3895
Fax: 717.909.0714
Website: www.nsvrc.org
(information clearinghouse on sexual violence; extensive library on a variety of topics)

Office of Justice Programs at Minnesota Department of Public Safety

St. Paul, MN
Phone: 651.201.7300
Website: www.ojp.state.mn.us
(victim rights and victim services programs; statistics and data)

Polaris Project

Washington, DC
Phone: 202.745.1001
Website: www.polarisproject.org
(information on trafficking nationwide)

The Poynter Institute

St. Petersburg, FL
Phone: 727.821.9494
Website: www.poynter.org
(resources for journalists)

Prevention Connection

California Coalition Against Sexual Assault
Sacramento, CA
Phone: 916.446.2520
Website: www.preventconnect.org
(resources on sexual violence prevention)

Prevention Institute

Oakland, CA
Phone: 510.444.7738
Website: www.preventioninstitute.org
(resources on sexual violence prevention)

Rape, Abuse & Incest National Network

Washington, DC
Phone: 202.544.1034
Website: www.rainn.org
(national clearinghouse on sexual violence issues)

Stalking Resource Center

National Center for Victims of Crime
Washington, DC
Phone: 202.467.8700
Website: www.ncvc.org/src/
(national clearinghouse on stalking issues)

Survivor Project

Portland, OR
Phone: 503.288.3191
Website: www.survivorproject.org
(advocates for intersex and trans survivors of domestic and sexual violence)

University of Minnesota School of Journalism & Mass Communication

Minneapolis, MN 55455
Phone: 612.625.9824
Website: www.sjmc.umn.edu
(local resource on journalism ethics)

Victim Rights Law Center

Boston, MA
Phone: 617.399.6720
or
Portland, OR 97204
Phone: 503-274-5477
Website: www.victimrights.org
(national resource on civil legal response to sexual violence)

The Voices and Faces Project

Chicago, IL

Phone: 800.743.9182

Website: www.voicesandfaces.org

(national documentary project giving voice to survivors of sexual violence)

ENDNOTES

- ¹ Dart Center for Journalism and Trauma: A Resource for Journalists Who Cover Violence, <http://dartcenter.org/topic/sexual-violence> (last visited Oct. 22, 2012).
- ² Arthur S. Brisbane, *Confusing Sex and Rape*, NEW YORK TIMES (Nov. 19, 2011), <http://www.nytimes.com/2011/11/20/opinion/sunday/confusing-sex-and-rape.html> (last visited Oct. 22, 2012).
- ³ End Violence Against Women International, *Sexual Assault Report: Suggested Guidelines for Language Use*, (April 29, 2010) (hereinafter referred to as *Suggested Guidelines*).
- ⁴ *Id.*
- ⁵ Mallory Jean Tenore, Poynter Institute, *The Grammar of Assault: Salisbury Paper Learns Why 'Performing a Sex Act' Misrepresents the Crime*, <http://www.poynter.org/latest-news/top-stories/162459/salisbury-post-changes-story-about-child-sex-abuse-to-clarify-crime/#> (last visited Oct. 22, 2012).
- ⁶ Bob Steele, The Poynter Institute, quoted in Michigan Coalition Against Domestic and Sexual Violence, *Reporting Sexual Assault: A Guide for Journalists* (2004) at 10, <http://www.mcadsv.org/resources/files/media/Journalists.pdf> (last visited Oct. 22, 2012) (hereinafter *Reporting Sexual Assault*).
- ⁷ BENEDICT, HELEN, *VIRGIN OR VAMP: HOW THE PRESS COVERS SEX CRIMES* (Oxford University Press 1992) quoted in *Reporting Sexual Assault*, *supra* note 6, at 8.
- ⁸ National Alliance to End Sexual Violence, www.endsexualviolence.org (last visited Oct. 22, 2012).
- ⁹ *Id.*
- ¹⁰ *Id.*
- ¹¹ Arthur S. Brisbane, *Gang Rape Story Lacked Balance*, Public Editor's Journal, NEW YORK TIMES (Mar. 11, 2011), <http://publiceditor.blogs.nytimes.com/2011/03/11/gang-rape-story-lacked-balance/> (last visited Oct. 22, 2012).
- ¹² James C. McKinley and Erica Goode, *3 Month Nightmare Emerges in Rape Inquiry*, NEW YORK TIMES (Mar. 28, 2011), <http://www.nytimes.com/2011/03/29/us/29texas.html> (last visited Oct. 22, 2012).
- ¹³ Rahim Kanani, *White House Q and A: How We Can End Violence Against Women*, HUFFINGTON POST (April 6, 2011), http://www.huffingtonpost.com/rahim-kanani/violence-against-women-white-house_b_844990.html (last visited Oct. 22, 2012).
- ¹⁴ See LYNN HECHT SCHAFFRAN & JILLIAN WEINBERGER, *NEW U.S. CRIME REPORTS: FLAWED METHODOLOGY SHARPLY UNDERESTIMATES RAPE RATES AGAINST WOMEN AND PERSONS WITH DISABILITIES* (2009), <http://legalmomentum.typepad.com/blog/2009/10/new-us-crime-reports-flawed-methodology-sharply-underestimates-rape-rates-against-women-and-persons-.html> (last visited April 22, 2011).
- ¹⁵ Minnesota Department of Health, *Costs of Sexual Violence in Minnesota* (July 2007) 4, available at <http://www.health.state.mn.us/injury/pub/svcosts.pdf> (last visited Oct. 22, 2012) (hereinafter referred to as *Costs Report*).
- ¹⁶ University of Minnesota Humphrey School's Center on Women & Public Policy and the Women's Foundation of Minnesota, *Research Status of Women & Girls in Minnesota: Research Summary 7* (Feb. 2012), http://www.wfmn.org/research/2012%20SWGMM/2012SWGMM_final2.pdf (last visited Jan. 5, 2013) (hereinafter referred to as *Research Summary*).
- ¹⁷ D.G. Kilpatrick, C.N. Edmunds & A. Seymour, *RAPE IN AMERICA: A REPORT TO THE NATION*. Arlington VA: National Victim Center (1992); P. Tjaden & N. Thoennes, *FULL REPORT OF THE PREVALENCE, INCIDENCE, AND CONSEQUENCES OF VIOLENCE AGAINST WOMEN*, Washington DC: U.S. Department of Justice (2000); K.C. Basile, J. Chen, M.C. Black & L.E. Saltzman, *Prevalence and Characteristics of Sexual Violence Victimization Among U. S. Adults, 2001-03*, 22 *Violence and Victims* 437-448 (2007); D.G. Kilpatrick, K.J. Ruggiero, L.M. Conoscenti & J. McCauley, *DRUG-FACILITATED, INCAPACITATED AND FORCIBLE RAPE: A NATIONAL STUDY*, Washington, D.C.: U.S. Department of Justice (2007).
- ¹⁸ Charlie Savage, *U.S. To Expand its Definition of Rape in Statistics*, NEW YORK TIMES (Jan. 6, 2012), http://www.nytimes.com/2012/01/07/us/politics/federal-crime-statistics-to-expand-rape-definition.html?_r=0 (last visited Oct. 22, 2012).
- ¹⁹ Bureau of Justice Statistics, *Criminal Victimization in the United States Statistical Tables 2004*, <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=1102> (last visited April 22, 2011).
- ²⁰ Kilpatrick et al. (2007), *supra* note 17.

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- ²¹ Centers for Disease Control and Prevention, *National Intimate Partner and Sexual Violence Survey* (2011), <http://www.cdc.gov/violenceprevention/nisvs/> (last visited Oct. 21, 2012). (hereinafter referred to as NISVS).
- ²² Amnesty International, MAZE OF INJUSTICE 2 (2007), <http://www.amnestyusa.org/women/maze/report.pdf> (last visited Oct. 22, 2012).
- ²³ Office of Justice Programs, Minnesota Department of Safety, HUMAN TRAFFICKING IN MINNESOTA: A REPORT TO THE LEGISLATURE 7 (2007), http://www.ojp.state.mn.us/cj/publications/Reports/2007_Human_Trafficking.pdf (last visited April 22, 2011).
- ²⁴ Minnesota Indian Women's Resource Center, SHATTERED HEARTS: THE COMMERCIAL SEXUAL EXPLOITATION OF AMERICAN INDIAN WOMEN AND GIRLS IN MINNESOTA, 2 (2009), http://www.miwrc.org/system/uploaded_files/0000/0105/Shattered_Hearts_Full_Report--Web_version.pdf (last visited Oct. 22, 2012).
- ²⁵ Minnesota Indian Women's Sexual Assault Coalition and Prostitution Research & Education, THE GARDEN OF TRUTH: THE PROSTITUTION AND TRAFFICKING OF NATIVE WOMEN IN MINNESOTA (2011), <http://www.miwsac.org> (last visited Oct. 21, 2012).
- ²⁶ *Id.* at 3.
- ²⁷ Minnesota Department of Health, *The Promise of Primary Prevention of Sexual Violence: A Five-Year Plan to Prevent Sexual Violence and Exploitation in Minnesota*, 12 (June 2009), <http://www.health.state.mn.us/injury/pub/svpplan.pdf> (last visited Jan. 5, 2013) (hereinafter referred to as *The Promise of Primary Prevention*) citing Joan Petersilia, Joseph Foote, and Nancy A. Crowell, eds., *Crime Victims with Developmental Disabilities*, National Academy Press, Washington, DC, 2001. Criminal Justice and Behavior, 2001.
- ²⁸ *Promoting Better Health for People With Disabilities: Ending Exclusion*, Minnesota Department of Health, 2007, <http://www.health.state.mn.us/injury/pub/index.cfm?gcCategory=disability> (last visited Jan. 5, 2013).
- ²⁹ D. Sobsey and S. Mansell, *The Prevention of Sexual Abuse and Assault: Sexual Exploitation of People with Disabilities* (Special Issue), *Sexuality and Disability*, Vol. 9, 1990, 243-259.
- ³⁰ Laurie E. Powers, et al, *Barriers and Strategies in Addressing Abuse: A Survey of Disabled Women's Experiences*, J. Rehabilitation 4-13, Jan.-Mar. 2002.
- ³¹ Liz Stimpson and Margaret C. Best, *Courage Above All: Sexual Assault Against Women with Disabilities*, Toronto: DisAbled Women's Network, 1991.
- ³² *The Promise of Primary Prevention*, *supra* note 27, at 8.
- ³³ *Costs Report*, *supra* note 15, at 6.
- ³⁴ *Id.*
- ³⁵ *Research Summary*, *supra* note 16, at 7.
- ³⁶ *The Promise of Primary Prevention*, *supra* note 27, at 12.
- ³⁷ University of Minnesota Humphrey Institute's Center on Women & Public Policy and the Women's Foundation of Minnesota, *Status of Women and Girls in Minnesota*, 51-53 (2010), http://www.wfminn.org/research/2010Reports/2010SWGMM_FullReport.pdf (last visited Oct. 22, 2012).
- ³⁸ *Id.* at 62-64.
- ³⁹ *The Promise of Primary Prevention*, *supra* note 26, at 12, citing U.S. Department of Health and Human Services, Administration on Aging, *National Elder Abuse Incidence Study*, 4-42 (1998), http://www.aoa.gov/AoARoot/AoA_Programs/Elder_Rights/Elder_Abuse/docs/ABuseReport_Full.pdf (last visited Jan. 5, 2013).
- ⁴⁰ *Id.*
- ⁴¹ U.S. Department of Justice, Child Exploitation and Obscenity Section, <http://www.justice.gov/criminal/ceos/> (last visited Jan. 5, 2013) cited at *MN Girls are Not for Sale*, <http://www.mngirlsnotforsale.org/> (last visited Jan. 5, 2013) (hereinafter referred to as *MN Girls are Not for Sale*).
- ⁴² Lauren Martin, *The Prostitution Project: Community-Based Research on Sex Trading in North Minneapolis*, CURA REPORTER, Fall-Winter (2010) cited at *MN Girls are Not for Sale*, *supra* note 41.
- ⁴³ Lauren Martin, Richard Lotspeich and Lauren Stark, *Early Intervention to Avoid Sex Trading and Trafficking of Minnesota's Female Youth: A Benefit Cost Analysis*, Minnesota Indian Women's Resource Center (2012), http://www.miwrc.org/system/uploaded_files/0000/0149/Benefit_Cost_Study_Executive_Summary_public_distribution_2_.pdf (last visited Jan. 5, 2013).

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- ⁴⁴ Federal Bureau of Investigation, Minneapolis Division, What We Investigate, <http://www.fbi.gov/minneapolis/about-us/what-we-investigate/priorities> (last visited Jan. 5, 2013) cited at *MN Girls are Not for Sale*, *supra* note 41.
- ⁴⁵ National Sexual Violence Resource Center, *Sexual Violence & Individuals Who Identify as LGBTQ Research Brief 1*, <http://www.nsvrc.org/publications/nsvrc-publications-information-packets/sexual-violence-individuals-who-identify-lgbtq> (last visited Jan. 5, 2013). See also NISVS, *supra* note 21.
- ⁴⁶ *Id.*
- ⁴⁷ *Research Summary*, *supra* note 16, at 6-7.
- ⁴⁸ National Sexual Violence Resource Center, *Sexual Harassment & Bullying of Youth 1*, <http://www.nsvrc.org/publications/nsvrc-publications-information-packets/sexual-violence-individuals-who-identify-lgbtq> (last visited Jan. 5, 2013).
- ⁴⁹ MERRIL D. SMITH, ENCYCLOPEDIA OF RAPE 174 (2004).
- ⁵⁰ See *supra* note 17.
- ⁵¹ See Kilpatrick et al. (1992), *supra* note 17.
- ⁵² Timothy Hart and Callie Rennison, REPORTING CRIME TO THE POLICE, 1992-2000, 5-7. Washington, D.C.: U.S. Department of Justice (2003).
- ⁵³ David Lisak and Paul M. Miller, *Repeat Rape and Multiple Offending Among Undetected Rapists*, 17 *Violence and Victims* 78 (2002).
- ⁵⁴ ROBERT A. PRENTKY AND ANN WOLBERT BURGESS, FORENSIC MANAGEMENT OF SEXUAL OFFENDERS 245 (Plenum, 2000) cited in ERIC JANUS, FAILURE TO PROTECT (Cornell University Press, 2006).
- ⁵⁵ See *supra* note 17.
- ⁵⁶ Minnesota Sentencing Guidelines Commission, *MSGC Report to the Legislature* 24 (Jan. 2012), http://www.msgc.state.mn.us/data_reports/jan_leg_report/MSGC%20Report%20to%20the%20Legislature%202012.pdf (last visited Oct. 22, 2012).
- ⁵⁷ Minnesota Department of Corrections, *Sex Offenders in Prison* (Dec. 2008), <http://www.doc.state.mn.us/publications/backgrounders/documents/sexoffenderbackgrounder.pdf> (last visited April 25, 2011) (hereinafter referred to as *Sex Offenders in Prison*).
- ⁵⁸ *Id.*
- ⁵⁹ *Id.*
- ⁶⁰ *Id.*
- ⁶¹ *Sex Offenders in Prison*, *supra* note 57.
- ⁶² Office of the Legislative Auditor, *Civil Commitment of Sex Offenders* (2011), <http://www.auditor.leg.state.mn.us/ped/2011/ccso.htm> (last visited Oct. 22, 2012).
- ⁶³ *Id.*
- ⁶⁴ Minnesota Department of Public Safety, Bureau of Criminal Apprehension Website (hereinafter BCA website), <https://por.state.mn.us/PredatorFAQ.aspx> (last visited Oct. 22, 2012).
- ⁶⁵ David Lisak and Paul M. Miller, *Repeat Rape and Multiple Offending Among Undetected Rapists*, 17 *Violence and Victims* 78 (2002).
- ⁶⁶ See *e.g.*, *supra* note 17.
- ⁶⁷ See *supra* note 65.
- ⁶⁸ Russell Strand, *Sex Offenders: The Hunter and the Hunted*, Plenary Session at End Violence Against Women International Conference, Chicago, IL (April 12, 2011).
- ⁶⁹ *The Promise of Primary Prevention*, *supra* note 27, at 4.
- ⁷⁰ Tracy Cox, *Lessons Learned in Bellefonte*, THE RESOURCE: THE NATIONAL SEXUAL VIOLENCE RESOURCE CENTER'S NEWSLETTER, Spring-Summer 2012, 14, http://www.nsvrc.org/sites/default/files/Publications_NSVRC-The-Resource_Spring-Summer-2012.pdf (last visited Jan. 5, 2013).
- ⁷¹ *Id.* at 29.
- ⁷² PATRICIA WEAVER FRANCISCO, TELLING: A MEMOIR OF RAPE AND RECOVERY 3 (Cliff Street Books, Harper Perennial 1999).
- ⁷³ William Cote and Bonnie Bucqueroux, *Covering Crime Without Re-victimizing the Victim*. Presented at the Newspapers and Community Building Symposium, National Newspapers' Association Annual Convention held in Nashville, Tennessee, September 1996, cited in *Reporting Sexual Assault* *supra* note 6, at 10.

⁷⁴National Sexual Violence Resource Center, *Talking with Survivors*, Info & Stats for Journalists, http://www.nsvrc.org/sites/default/files/publications_nsvrc_factsheet_media-packet_talking-with-survivors.pdf (last visited Jan. 5, 2013).

⁷⁵ Renae Franiuk, *The Impact of Rape Myths in Print Journalism*, 12 SEXUAL ASSAULT REPORT 33 (Jan./Feb. 2009).

⁷⁶ Kimberly A. Lonsway, Joanne Archambault & David Lisak, *False Reports: Moving Beyond the Issues to Successfully Prosecute Non-Stranger Sexual Assault*, 3 THE VOICE 1, 2 (2009). See also David Lisak, Lori Gardinier, Sarah C. Nicksa & Ashley M. Cote, *False Allegations of Sexual Assault: An Analysis of Ten Years of Reported Cases*, 16 Violence Against Women 1318 (Dec. 2010), <http://vaw.sagepub.com/content/16/12/1318.full.pdf+html> (last visited Oct. 22, 2012).

⁷⁷ Liz Kelly, Jo Lovett & Linda Regan, *A Gap or a Chasm? Attrition in Reported Rape Cases*, *Home Off. Res. Study*, 293 xi (Feb. 2005), <http://webarchive.nationalarchives.gov.uk/20110218135832/http://rds.homeoffice.gov.uk/rds/pdfs05/hors293.pdf> (study analyzing 2,643 reports of sexual assault over a fifteen-year time period) (last visited Oct. 22, 2012).

⁷⁸ Melanie Heenan & Suellen Murray, *Study of Reported Rapes in Victoria 2000-2003*, 5 (2006) (study analyzing 812 cases of sexual assault).

⁷⁹ Lisak et al., *supra* note 76.

⁸⁰ Lonsway et al., *supra* note 76, at 3.

⁸¹ *City Rape Investigations Questioned* (and summary of related articles), BALTIMORE SUN, <http://www.baltimoresun.com/news/maryland/bal-city-rapes-gallery,0,3915309.storygallery> (last visited Oct. 22, 2012) and Leila Atassi, Rachel Drissell and Gabriel Baird, *Cleveland Police Aren't Following Departmental Rules in Clearing Rape Cases*, *Analysis Shows* (Jan. 23, 2011), CLEVELAND PLAIN DEALER, http://blog.cleveland.com/metro/2011/01/cleveland_police_arent_followi.html (last visited Oct. 22, 2012).