

# Sexual Assault



# Sexual Assault

*The Victims, the Perpetrators,  
and the Criminal Justice System*

THIRD EDITION

Edited by

**Frances P. Reddington**

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*To the memory of my parents—  
Francis and Pauline. FPR*

*To my best friend and loving husband, Lyle  
and to my three hardworking, intelligent and  
compassionate children, Jarrett, Emma and Cole.  
Your support, caring and love make everything possible. BWK*



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# Preface

All it takes is to listen to the news and hear the recent stories of sexual abuse to know that sexual assault is an issue that raises many questions and concerns in the American public. We are all familiar with the cases that make headline news, but in the world of sexual assault, the high profile cases are the rarest, and the daily business of those sex crimes that come to the attention of the criminal justice system is usually left to be done outside of much of the general public's notice.

This book attempts to fill a gap in our academic literature regarding rape, sexual assault, and in specific, the response of the criminal justice system to sex crimes. However, as the criminal justice system does not exist outside of our society, we felt it imperative to broaden the scope of the reader as well, and to include information designed to educate about the widely misunderstood crime of rape. That is why we included information about rape myths, the history of rape reform and an examination of sexual assault definitions.

Before we begin discussion of an overview of the reader we would like to make a couple of observations. First, the words rape and sexual assault are used almost interchangeably by the authors in the following chapters. That is how it is in our society as well. 'Rape' is still a crime in several states, though other states have changed the language in their criminal codes to something broader, such as 'sexual assault' or 'sexual battery.'

Secondly, most victims of sex crimes are women, and many authors chose to use the feminine pronoun in their articles when referring to victims, and the masculine pronoun when referring to offenders. Again, this was done to reflect the statistical findings that most known sex offenders are men. However, we believe that it was imperative to address the issue of male rape victims in this reader. There are several chapters, which will be discussed below, which address male victimization. Thus, we are not overlooking either male rape victims or female offenders, we are making sure that we represent a statistical reality.

And finally, we wanted to address the issue of the terms 'victims' and 'survivors.' As you will no doubt note, they are used interchangeably as well throughout and within the various chapters. We did not ask the authors to follow any guidelines in their word selection, though some addressed the

issue in their writings. The reason we did this, is because this work is designed to bring the reader into the criminal justice arena. In that arena, police, prosecutors and other employees of the criminal justice system, deal with victims of crime and those who victimize others. Victimology, and the study of crime victims, is a relatively new academic component of criminal justice. We did not think it would be right to change the system phraseology. Yet, those same employees of the criminal justice system deal with the survivors of a sexual assault as well. Though some of the literature suggests that survival is a state of recovery to be achieved, we do subscribe to the belief that if you live through a sexual assault—you are a survivor.

The following discusses the various elements of this text. Disbursed throughout the book are special features that emphasize and support the reality of the factual discussions.

## Part I

### The Crime

In Part I, the reader is acquainted with the crime of rape and sexual assault. The first chapter, “An Overview of Sexual Assault and Sexual Assault Myths,” presents a look at the definitions, contradictions and statistics regarding sexual assault. The incidence and prevalence of rape are examined, and are followed with a discussion of the problems associated with an examination of rape statistics. The chapter also includes a brief history of sexual victimization, which sets the stage for much that follows in the reader. The chapter concludes with a comprehensive look at rape myths.

The second chapter, “Sexual Assault Definitions,” provides a general definition of rape, and offers a discussion of the parameters associated with trying to define rape. The chapter also narrows to a thorough discussion of stranger rape, intimate (date) rape, spousal rape, and group and gang rape. The third chapter, “Sex Trafficking,” offers an overview about this illegal activity and the system’s response to this horrific crime.

## Part II

### The Victims

In Part II, the reader becomes acquainted with rape victimology. Chapter Four, “Victim Response to Sexual Assault,” is a thorough examination of the variety of responses and coping mechanisms that survivors often



experience. In addition, the chapter discusses recovery from sexual assault, seeking help and crisis intervention. Chapter Five, “The Ripple Effect: Secondary Sexual Assault Survivors,” presents an overview of the others who are impacted by a sexual assault: partners, family, and friends of the survivor. Chapter Six, “Victim Support and Services,” offers a compressive overview of many of the services and support systems currently in place to help survivors of sexual assault, including a discussion of college campus, military and legal support available.

## Part III

### The Often Unacknowledged Victims

In Part III, the reader is brought deeper into sexual assault victimology and those victim groups where we tend to see even greater underreporting are examined. Chapter Seven, “Male victims of Sexual Assault,” offers basic information about male victimization including the myths and the effects on the victim. Chapter Eight, “Sexual Abuse of Men in Prison,” examines the prevalence of inmate-on-inmate rape in institutions housing males. While presenting the statistics available, this chapter also includes narrative accounts from actual victims. Chapter Nine, “A Violation of Trust and Professional Ethics: Sexual Abuse of Women Prisoners by Correctional Staff,” examines the issues of female inmates who are victimized by institutional employees. Chapter Ten, “Child Sexual Abuse,” presents an overview of the topic. Chapter Eleven, “It’s Not Just a Heterosexual Issue: A Discussion of LGBT Sexual Assault Victimization,” examines sexual assault within the LGBT community. Chapter Twelve, “Reading Incest: Interpreting Signs of Victimization and Family Dysfunction in One Survivor’s Account,” presents a moving account of one survivor’s journey from victimization as a child to resolution.

## Part IV

### The Offenders

Part IV offers a comprehensive discussion of sex crime offenders. Chapter Thirteen, “Sex Offenders and Child Molesters,” offers a thorough discussion of many aspects of those who rape. The chapter begins with a discussion of human behavior and motivation. It then continues with a discussion of sex offender typologies — the attempt to classify sex offenders into different groups

based on their motivations, choice of victims and actions during the attack. This chapter also discusses classifications of child molesters. Chapter Fourteen, “Juvenile Sex Offenders,” discusses the delicate issue of youth that commit sex offenses against others including the extent of the problem, how juvenile sex offenders compare to other juvenile offenders and sexting, a new class of juvenile sex offenders. Chapter Fifteen, “Sex Offender Treatment, What Works, Who Works and New Innovative Approaches,” presents an overview of various treatment methods currently used with sex offenders.

## **Part V**

### **The Criminal Justice System**

Part V overviews the various components of the criminal justice system as they address the issues of sexual assault. Chapter Sixteen, “A Brief History of Rape Law and Rape Law Reform in the United States,” offers a discussion of the roots of American rape law and the major changes in rape law that were initiated in the 1970s. This discussion will lead the reader into the chapters regarding police investigation, prosecutorial duties, and correctional treatment. Chapter Seventeen, “The Police and Victims of Sexual Assault,” addresses issues regarding police and victim interaction. Chapter Eighteen, “Prosecution of Sex Crimes,” examines why rape has historically been the most under-prosecuted crime

## **Part VI**

### **Public Fear and Legislative Response**

Part VI addresses the legislative response to sexual assault. With public sentiment suggesting that the criminal justice system was failing in rehabilitating or incapacitating sex offenders, the legislature stepped in and created new laws that would address this issue. Chapter Nineteen, “Sex Offender Laws: Some Legislative Responses,” presents an examination of the creation of registration, notification, sexual predator and chemical castration laws, to name a few. This chapter also addresses concerns expressed regarding the constitutionality of these laws. Chapter Twenty, “Sex Offenders: The Social Narrative and Public Policy Implications,” discusses the rationale and effectiveness of recent public policy concerning sex offenders.

# Acknowledgments

Many people did a lot of work to make this book happen. We must start with acknowledging the contributions of the authors. The collection of authors in this book is, in a word, diverse. Our contributors include academicians, graduate students, practitioners in the field, and survivors of sexual assault. We did this because we believe that the collective voice needs to be heard. The common theme of all our contributors is that they believe that this subject is important and that this book needed to be done. They devoted their time, talent and energies to make this happen. The result is a reader that is quite comprehensive in its study of the topic of sexual assault. There are a wide variety of voices to be heard here—from survivors to those who work in the field every day to those who study the field. The collective product is truly a reflection of their dedication.

We would like to acknowledge Carolina Academic Press for their support, and specifically Beth Hall, our editor, who kept us on task and offered us her support. From day one of the first edition, Beth and Carolina Academic Press believed this was a work that needed to be written.

We would like to thank our colleagues in the Department of Criminal Justice and our college Dean at the University of Central Missouri for the support we receive regarding scholarly endeavors. We also are grateful to our criminal justice graduate assistants, whose assistance on this project in multiple ways proved invaluable.

And finally, we need to recognize the survivors of sexual assault and the people who work everyday in any one of numerous capacities to seek justice, healing and hope for sexual assault survivors. We only hope that this work serves to enlighten about sexual assault and the people that it has touched. In addition, we hope this text promotes future research and encourages others to work and/or volunteer in the victimology arena.

