



turning lives around

The Co-Occurrence of Sexual Abuse and Domestic Violence:

Addressing Intimate Partner Sexual Violence

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Safe Space

Goals

- To be able to describe the nature and prevalence of Intimate Partner Sexual Violence (IPSV).
- Identify dynamics and impact of IPSV and specific challenges faced by survivors.
- Learn screening questions and techniques to enhance the identification of IPSV.
- Share strategies for supporting and providing services for survivors through enhanced coordination between DV and SV programs including cross-training.

History Highlights

- **1984** - A court in New York ruled for the first time that a man who raped his estranged wife in front of their 2 year-old was not eligible for a “marital exemption” but could be prosecuted for rape
- **Until 1993** - North Carolina’s rape law stated that it is not rape if the victim is the person’s legal spouse unless the parties are living separate and apart.
- **1993** - Marital rape is recognized as a human rights violation by the United Nations

History Highlights

- **Until 2004** - It wasn't a crime in 20 states for a husband to have non-consensual sex with his wife while she was mentally incapacitated or physically helpless.
- **2009** - Afghanistan - Women protesting the legalization of marital rape (in another country) were spat on and stoned.
- **2009** - There were still marital exemptions in some aspect of sexual assault law in **32 states**.



Domestic Violence

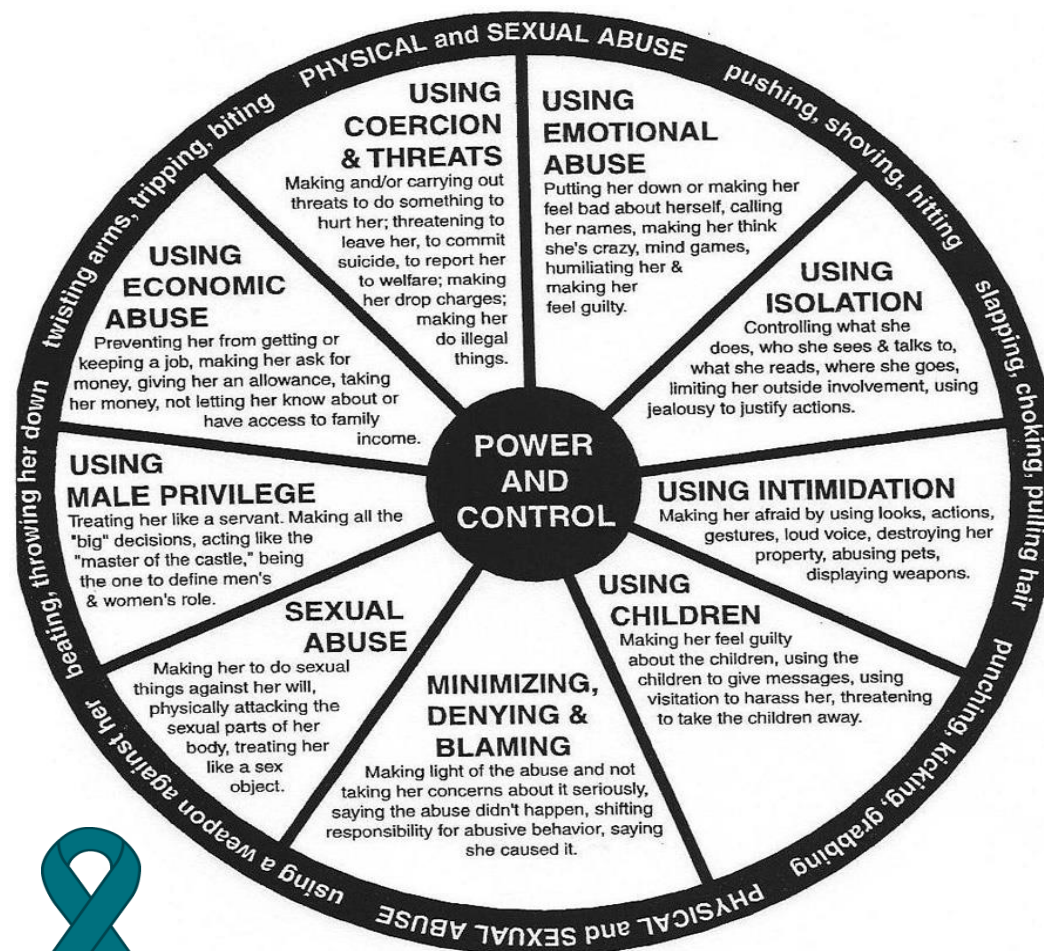
Definition:

Domestic violence is a pattern of assaultive and coercive behaviors, including physical, sexual, and psychological attacks, as well as economic coercion that adults or adolescents use against their intimate partners.

Dynamic:

Abuse in relationships is intentional, and is perpetrated in order to assert power and maintain control

DV Power and Control Wheel



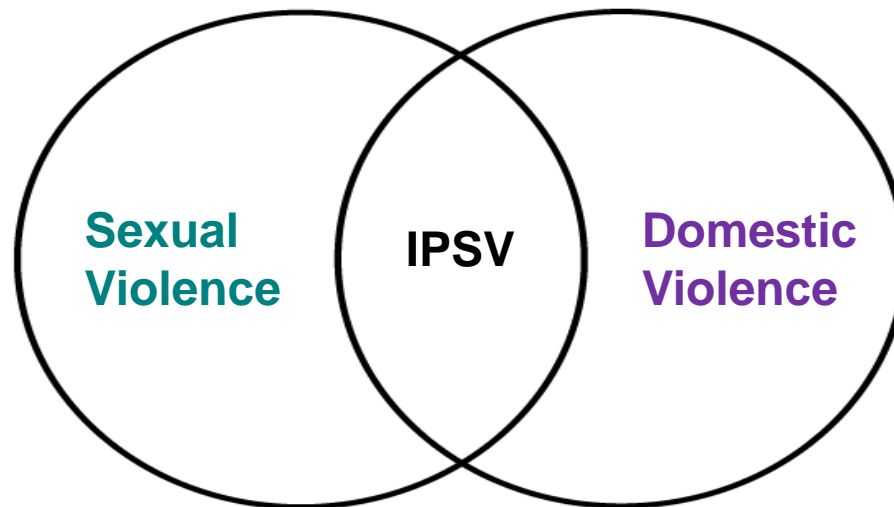
Sexual Violence

- Offenders *always* have a choice. Offenders can control their actions. SV is *always* against the victim's will.
- Sexual Violence is not an act of lust. SV is about exerting power and control over the victim.
- SA can occur without penetration.
- No means no; silence means no; maybe means no. The only thing that means yes is “yes,” if the person saying “yes” is of the age of consent, is not being coerced nor is physically or mentally incapacitated.
- Everyone has the right to change their mind about having sex, even after the act has begun and/or they have agreed to an act on a prior occasion.

Intimate Partner Sexual Violence is...

Any sexual contact or activity with an intimate partner that makes a person feel uncomfortable, with the purpose of controlling through fear, threats, coercion, manipulation or violence.

With or without the presence of physical violence at the time of the act or within the relationship.



New Jersey Law



NJ Law: Domestic Violence

2C25:19

Victim of DV:

- 18+ or emancipated minor
- Current/former:
 - Spouse
 - Household member
 - Dating relationship
- Child in common or pregnant w/child

NJ Law: 18 Acts of DV

2C:25-19

- Homicide
- Assault
- Terroristic Threats
- Kidnapping
- Criminal Restraint
- False Imprisonment
- Sexual Assault
- Criminal Sexual Contact
- Lewdness
- Criminal Mischief
- Burglary
- Criminal Trespass
- Harassment
- Stalking
- Criminal Coercion
- Robbery
- Contempt of DV Order
- Any other crime involving risk of death or serious bodily injury

Sexual Assault

- Sexual Assault is the legal term for Rape
- Abuser can be criminally charged for SA as an act of Domestic Violence and a victim may request a Temporary Restraining Order (TRO)
- No statute of limitation.



Sexual Assault

NJ2C:14-2

- Vaginal, oral, or anal penetration without the victim's consent or with a victim who is unable to consent.
- Penetration can be of the victim's mouth, anus, or vagina by the assailant's penis, hand, finger, tongue, or by an object.
- The **slightest** penetration of the above mentioned is sufficient for purposes of commission of the crime.

Criminal Sexual Contact

NJS2C:14-3

An actor is guilty of criminal sexual contact if he commits an act of sexual contact with the victim under any of the circumstances set forth in 2C:14-2a (1) through (5)

Lewdness

NJ2C:14-4

A person commits a disorderly persons offense if he does any flagrantly lewd and offensive act which he knows or reasonably expects is likely to be observed by other non-consenting persons who would be affronted or alarmed.

Sexual Assault Survivors Protection Act of 2015

- Survivors of sexual violence can apply for a SA TPO/PO for incidents that do not involve DV.
- No criminal complaint required
- Non-consensual sexual contact, sexual penetration, lewdness
- Obtained ex-parte at State Superior Court
- Final RO hearing within 10-days with respondent (perpetrator)



DVRT and SART

DVRT

Domestic Violence Response Team

NJ2C: 25-20

- DV agency collaboration with LE – all counties
- DV agency staff/volunteers provide direct-service for victims at PDHQ 24/7:
 - Confidential advocacy, support, information, and safety planning
 - Assist victims in obtaining a Temporary Restraining Order - TRO
 - DVRT is often a portal for victims to access dv agency programs and services for the first time.
 - Victim-centered, trauma-focused care

SART

Sexual Assault Response Team

NJSA 52:4B-50

- SV/Dual agency collaboration w/County Prosecutor's Office/SANE, and LE
- Staff/volunteers provide 24/7 confidential direct-service to victims/significant others
- Support and advocacy via hotline, accompaniment to hospital for forensic exam, PDHQ for the formal statement, and grand jury
- Survivors must be ages 13+
- Ages 12 and under: PSART
- SART AG Guidelines – www.nj.gov

Role of the SANE

Sexual Assault Nurse Examiner

- Medical care for survivor
- Forensic Kit:
 - Up to 5-7 days after the assault
 - Kits are held min. 5 years in NJ
 - County Prosecutor's Office retains custody of kit.
 - Kits are processed only if victim is going forward with prosecution
- Kit can be done without LE involvement
- SANE provides emergency contraception and medications for STDs



What types of IPSV have you seen in your caseload?

IPSV

- Sexual Assault: forces or coerces victim into having sex or performing sexual acts
- Holds down the victim during sex
- Believes in rigid gender roles
- Accuses victim of cheating or is jealous of relationships victim has outside of their relationship (co-worker, neighbor, coach, etc.)
- Demands sex if victim is sick, incapacitated, tired, or after physical abuse

IPSV

- Harms the victim with weapons or objects during sex
- Objectifies victim or wants them to dress a certain way
- Feelings regarding sex are ignored
- Involves other people in sexual activities with the victim, including in front of the children
- Involves victim in making/watching pornography
- Forced Commercial Sex: Human Trafficking

IPSV

- Reproductive Abuse: not using protection; impeding a victim's ability to use birth control; forcing abortions
- Purposely having unprotected sex and passing on STDs
- Alcohol/Drug-Facilitated Sexual Assault (A/DFSA)
- Taking photos/videos while victim is incapable of giving consent.
- Sadistic Sex
- Sexual Coercion to prove love or prevent abuser from leaving

IPSV

- Tells sexual jokes that make the victim uncomfortable
- Degrading sexual taunts/demeaning criticism of the victim's sexuality, sexual performance, or body
- Claiming victim is sexually dysfunctional
- Uncomfortable or unwanted sexual touching and being forced to touch
- Withholding sex as punishment
- Using technology to victimize

“Electronic Leash”

Technology as a Tool of IPSV Victimization



Technology - Cell phones, texting, internet, e-mail

Social Media - Can serve to enhance safety, but may also become a tool for abuser to control their partners. Source: WACSAP www.nnedv.org

Threaten to electronically distribute intimate photos/video of victim to parents/employers

- Force victim to watch pornography and/or perform acts.
- Force victim to perform sex acts with others and sell internet access - HT
- www.prolarisproject.org
- www.nj.gov/oag/dcj/humantrafficking

Risk Factors for IPSV

- Risk Factors and High Risk times including:
 - Being physically abused
 - After an assault
 - Being pregnant
 - Being ill or recently discharged from a hospital
 - Attempting to leave relationship
 - Being separated or divorced



Identification of IPSV

What barriers may keep IPSV from being identified?

Some things to think about...

- Sexual Assault is a highly under-reported crime.
- Common reasons given by victims for not reporting are:
 - Fear of retaliation by the perpetrator
 - Embarrassment
 - Think that they will not be believed
 - Self-blame “if only I _____.”
- DV abuser has constant access to the victim.



Barriers to Identification

How could a victim's beliefs and perceptions keep them from identifying sexual violence within a relationship?

Barriers

Victims may believe its not sexual violence if:

- You are married
- You have had sex with the person before
- You sometimes enjoy sex with your partner
- Misinformation from your partner

What we know...

DV victims may have conflicting emotions

- Love the abuser, hate the abuse
- Feel trapped by the violence in the relationship by their feelings about divorce and dependency
- Embarrassed to admit they are victims of their partner...for many, in their own home
- Fear more violence if they resist, assert themselves, stand up for their rights
- Teen Dating Violence – www.loveisrespect.org



Centers for Disease Control and Prevention

Includes in their definition of IPV four types of abuse:

- Physical Violence
- Sexual Violence
- Threats of Physical/Sexual abuse
- Emotional Abuse

Danger Assessment

Sexual violence has been identified as one of the factors placing victims at higher risk of homicide. Jacquelyn Campbell's Danger Assessment tool includes:

Has the abuser ever forced you to have sex with them when you did not wish to do so?

Jacquelyn C. Campbell, PhD, RN
www.dangerassessment.org

DV & SV: Similarities

- Interpersonal Power-based Violence
- Power & Control
- Violations perpetrated without consent
- Physical and Psychological Abuse
- Lack of Respect
- Illusion of Choice: Coercive Control
- Response of Victim (shame, self-blame, fear)
- Pre-meditative, deliberate acts
- Objectification of Women, Emasculation of Men

Dynamics of IPSV

IPSV is different from Non-IPSV:

- Abuser has constant access to victim leading to multiple assault, sometimes daily
- May be a pattern of SV in the relationship, not a random act of violence
- Victim is often vested in and dependent on the abusive partner
- SV more difficult to define in a Partner Relationship than in stranger or acquaintance SV.



Is it possible to have consensual sex in an abusive relationship?

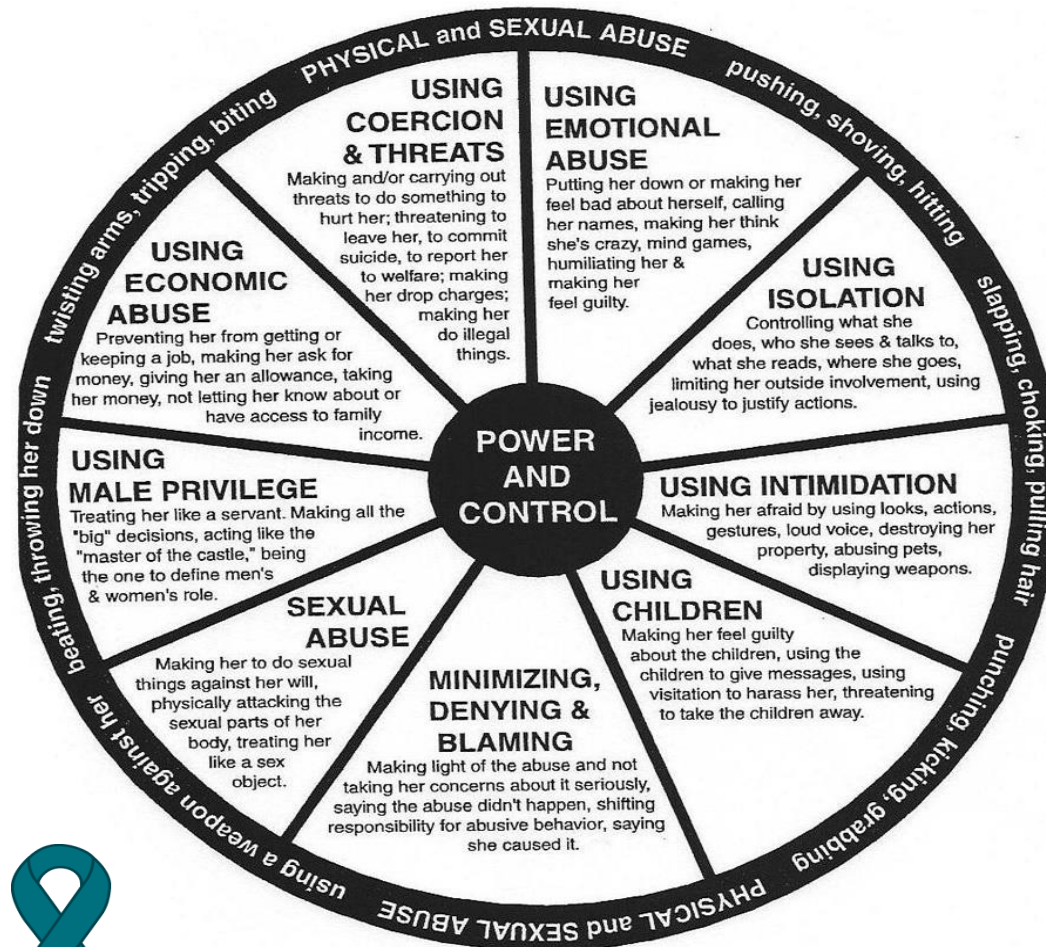
Discussing IPSV

- Be self-aware
- Use sensitivity
- Develop a rapport
- Explain why you are asking: danger assessment, appropriate referrals
- Let the client know that they don't need to discuss this now. You can do revisit it at later time, if they would like.
- Provide appropriate resources.

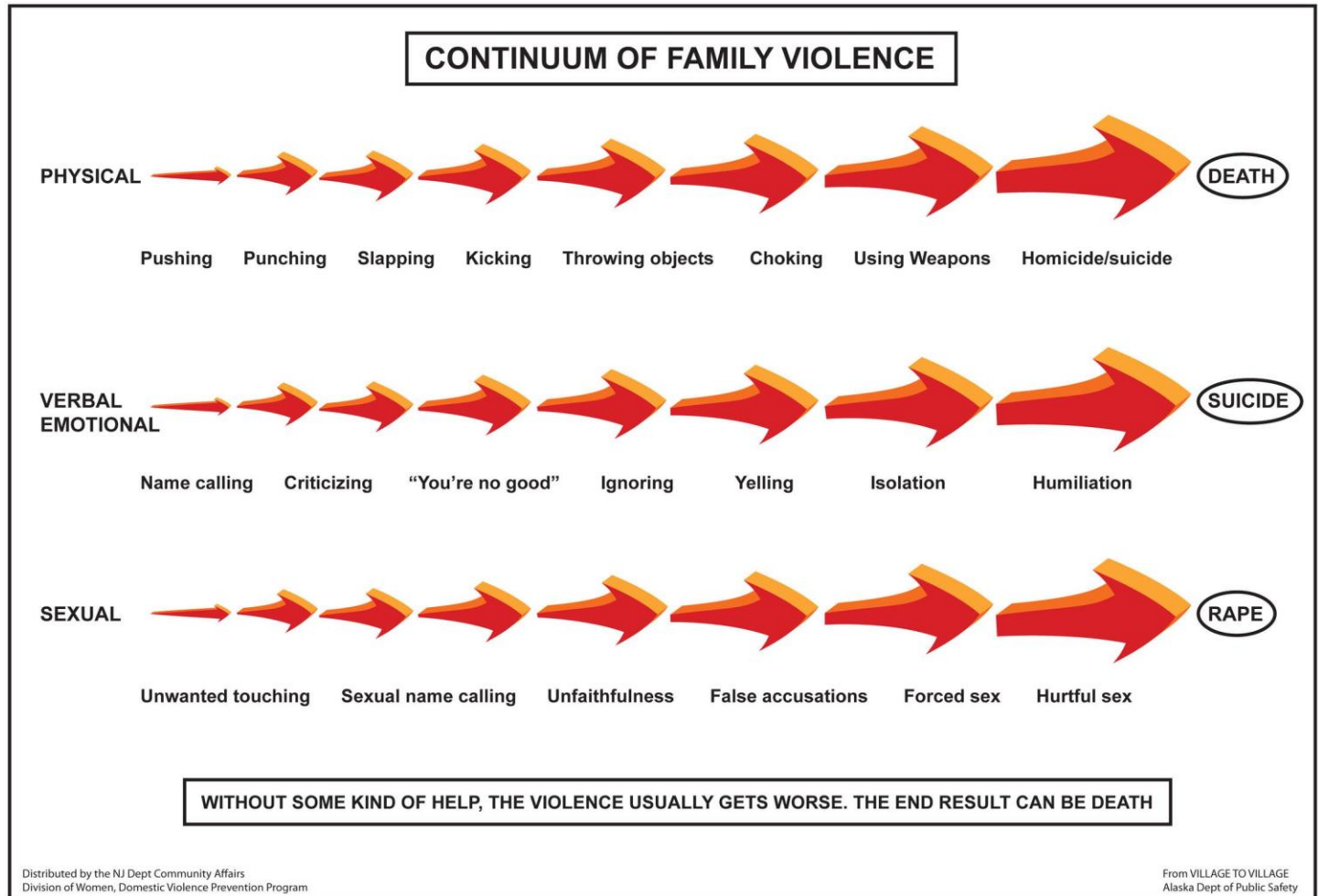
Assessment Strategies

- Self-Assessment Tools
 - Jacquelyn Campbell's Danger Assessment
 - Continuum of Abuse Chart
 - Power and Control Wheel

DV Power and Control Wheel



Continuum of Family Violence



Screening

- Building Screening Tools Discussion
- A Guide for Developing Tools to Assess for Sexual Assault within the Context of DV (www.wcsap.org)

Beyond Intake – Best Practices

- How and when assessment of IPSV occurs is crucial.
- Importance of “Rolling Assessment” beyond the intake questionnaire.



Best Practices

- Developing an “open door” approach to screening and assessment.
- Not limiting discussions about sexual abuse to intake or first contacts, but embedding questions and assessment tools to “open the door” to discussions about sexual abuse throughout our contact with survivors.
- Screening all survivors of domestic violence for sexual abuse/sexual violence.

Best Practices

- Keep in mind: “What do survivors need?”
 - A safe place to share.
 - Someone to listen to them and believe them who is trained in DV and SV.
 - Socially and culturally-sensitive assistance.
 - Both crisis and longer term supportive counseling.
 - Information and help in negotiating legal, medical, and other systems.
 - Practical resources.

Best Practices

- Cross training and coordinated services between domestic violence and sexual violence services including hotlines, crisis response teams, advocates and counselors.

Action Planning

- What information, insights or tools from this training can you bring back with you to your worksite?
- How can you enhance the identification and assessment of IPSV at your worksite?
- What would you need to implement change at your worksite?
 - Administrative and supervisory “buy in”? How could you work toward this?
 - More open relationships between DV and SV programs? What would need to happen for this to occur?

Action Planning

- What could you bring forward from this training right away? Next month?
- Choose three steps to work towards with a projected timeline noted.

In Closing

“Our original guiding stars are struggle and hope. But there is no such thing as a lone struggle, no such thing as a lone hope.”

Pablo Neruda – Chilean Poet

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