



What You Need To Know About Sexual Assault

David P. Fornshell
Warren County
Prosecutor

Sexual Assault Myth # 1



- Only Strangers Commit Sexual Assault
 - 84% of rapes are by people known to the victim
 - “No” really means “No”

Sexual Assault Myth # 2

- You can tell who will commit a Sexual Assault just by looking at him or her
 - Rape and sexual assaults most often occur when the victim and the perpetrator have been using alcohol or drugs



Sexual Assault Myth # 3



- Sexual Assault victims always resist
 - Victims may be scared, impaired, or confused
 - Perpetrators do not always use a weapon

Sexual Assault Myth # 4

- Sexual Assault victims “had it coming”
 - People get raped no matter how attractive they are, how they are dressed, or how seductively they behave
 - People cannot consent to be a victim just by dressing in a certain way



Sexual Assault Myth # 5



- “He said, she said” means we will never know the truth
 - Prior consent is not admissible
 - People are in prison based on believable victim testimony

Sexually Coercive Behavior

- **Sexually coercive behavior** exists on a continuum, including a variety of acts such as:
 - verbal pressure and lies
 - unwanted kissing
 - unwanted genital fondling
 - encouraging intoxication to get sex
 - forcible rape

How is Lack of Consent Communicated?



- A person says “no”
- A person sends a non-verbal message of “no”
- A person physically resists sexual advances
- A person is passed out
- A person is high and cannot speak clearly to respond to sexual advances

Legal Definition of Rape in Ohio

Rape occurs when a person has sexual conduct with another person when the offender purposely compels the other person to submit by **force or threat of force**

Force means any violence, compulsion, or constraint physically exerted by any means upon or against a person or thing

Legal Definition of Rape in Ohio

Rape also occurs when a person has sexual conduct with another person when the other person is unable to consent

The offender substantially impairs the other person's judgment by administering drugs or alcohol through force or deception

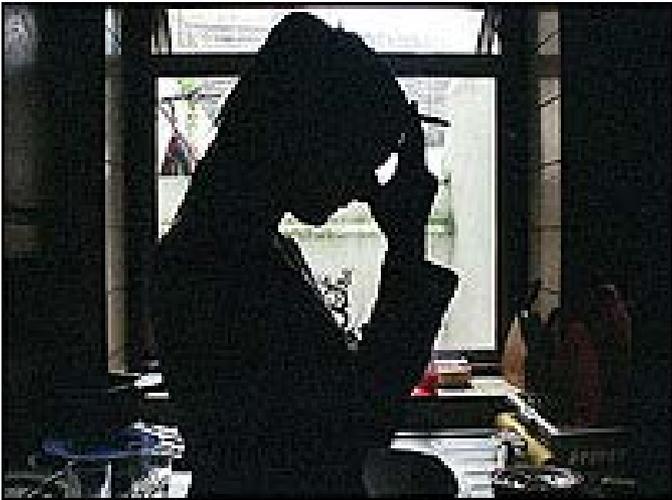


Legal Definition of Rape in Ohio

Rape also occurs when a person has sexual conduct with another person when the other person is unable to consent:

The other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age

Legal Definition of Rape in Ohio



Rape also occurs when a person has sexual conduct with another person when:

- the other person is unable to consent
- the other person is less than thirteen years of age, whether or not the offender knows the age of the other person

Unlawful Sexual Conduct With a Minor

- Offender of 18 years old or older
- Possible Felony: Victim is between 13 and 16 years old
- Possible Contributing Charge: Victim is under 18 years old

- Penalty varies depending on age difference between the Offender and the Victim

Sexual Battery

- Sexual Conduct is prohibited when the victim does not knowingly consent.
 - Offender coerces the victim
 - Offender knows that the victim is substantially impaired by drugs or alcohol
 - Offender knows that the victim is unaware that the act is being committed
 - Offender pretends to be the victim's spouse



Sexual Battery

- Sexual Conduct is prohibited in certain inherently coercive relationships.
 - Offender is the parent or guardian of the victim
 - Offender has supervisory authority over a patient
 - Offender is teacher, scout leader, or coach of the victim
 - Offender is a guard where victim is confined

What is sexual conduct?

- Intercourse
- Oral sex
- Penetration



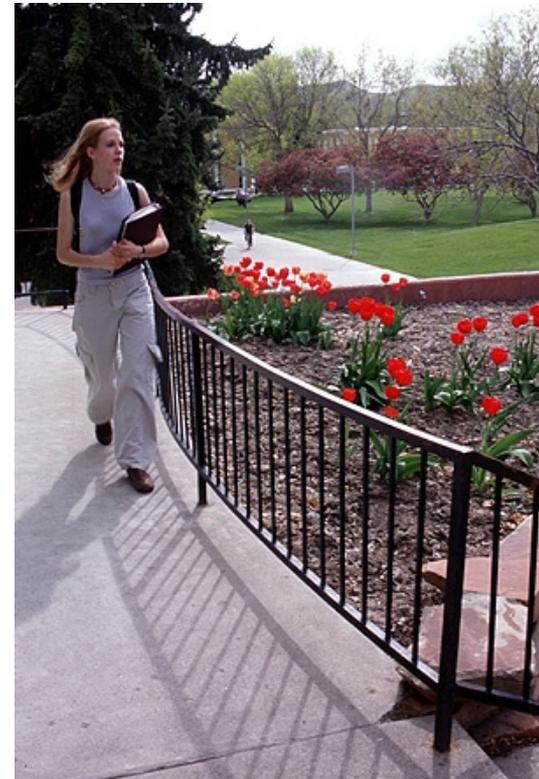
“Sexual Contact” can also be illegal

- Sexual contact means any touching of the erogenous zone of another
- Gross Sexual Imposition is sexual contact in situations similar to rape
- Sexual Imposition is sexual contact without consent in other situations, **including when the offender knows that the contact will be offensive to the victim**

College Statistics

Adapted from: Townsend & Werden

- 83% of all rapes involve women under the age of 25
- Almost half of college women who are raped were virgins at the time
- 73% of college women in one study whose experience met the legal definition of rape did not acknowledge the event as rape (Layman et al. 1996)



Common Reactions to Rape



- Denial
- Ignoring the “little voice”
- Dissociation
- Not fighting back
- Self-blame
- Not reporting the attack

Alcohol

- Alcohol is the most common drug associated with rape
- Drinking alcohol has been related to:
 - decreased inhibition
 - increased aggressiveness
 - black outs (loss of memory)



Date Rape Drugs



- Rohypnol (Flunitrazepam)
- GHB (Gamma Hydroxybutyrate)
- Ketamine (Ketamine Hydrochloride)
- GBL (Gamma Butyrolactone)

Reduce Your Risk of Substance Motivated Sexual Assault

- Do not accept an open drink
- Do not take drinks from large open containers, such as punch bowls
- Do not leave your drink unattended
- Do not assume that if you're male you are safe from being drugged



Disclosing Sexual Assault



- Voicing one's experience of sexual violence is seen as an important aspect of the recovery process
- You can make a difference if someone discloses to you: be supportive, listen, and believe

CONCLUSION

- Know who you can contact – and that help and support is always available
- “No better friend. No worse enemy.”



Rohypnol



- Street names: “roofies,” “R-2,” “Rib,” “Rope”
- Form: tasteless, colorless, odorless pill
- How used: dissolved in someone’s drink
- Effects: drowsiness, dizziness, respiratory distress, temporary amnesia, confusion, excitability, unconsciousness, and possible death

GHB

- Street names: “liquid ecstasy,” “liquid g”
- Form: odorless liquid with salty taste
- How used: poured in someone’s drink
- Effects: same as Rohypnol, plus shaking, headaches, seizures, coma, temporary paralysis, and possible death

The Prosecutor's Office



David P. Fornshell
Warren County Prosecutor

- Victim-Witness Advocates are available.
- We can help make contacts and referrals to law enforcement and social service agencies.
- Additional resources are available on our website:
www.co.warren.oh.us/Prosecutor