

SAFVIC ON THE SCENE

The Language of Sex

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**STALKING:
KNOW IT. NAME IT.
STOP IT.**

JANUARY 2010

StalkingAwarenessMonth.org

This January marks the fifth annual observance of National Stalking Awareness Month (NSAM), started in 2004 by the National Center for Victims of Crime. Since its inception, NSAM has become a unifying force for victim service providers across the country to raise awareness about the serious and deadly crime that victimizes more than one million women and nearly 400,000 men in America each year.

You are encouraged to join this year and help make the 5th National Stalking Awareness Month the best yet. Get involved by distributing materials, working with public officials on proclamations, holding events or trainings, contacting local media, and organizing or participating in other local activities that raise awareness of this terrible crime.

If you want to make someone uncomfortable in a conversation introduce the topic of sex. We see very quickly how our background or upbringing can inhibit our willingness or ability to talk about things of a sexual nature. While this may be acceptable in social settings, our inability to talk about sexual matters as professional law enforcement officers or prosecutors can be a problem. As a former deputy district attorney in Colorado, I remember a judge who would become visibly uncomfortable when he advised defendants of the elements and definitions of sex crimes. He routinely stumbled on the word “cunnilingus” and even occasionally blushed at its utterance. He was an otherwise excellent judge, subject to the same discomfort many of us feel when we talk about specific sexual acts, even in the context of our professions where it is necessary for us to do so.

The ability to speak professionally about sex is a requirement for anyone involved in the investigation and prosecution of sex crimes. By doing so, we ease some of the discomfort that many victims feel when they are required to talk about the intimate details of a sexual assault. But mastering the use of correct anatomical terminology is only one aspect of how the use of

language affects our successful investigation and prosecution of this crime.

Language is designed to paint word pictures for us. We have all had the experience of reading well written prose and how it creates images based on the author’s choice of accurate and descriptive words. The words we use to describe crimes communicate volumes to the listener (or reader) about how the speaker (or writer) interprets the circumstances of the crime. For most property crimes, there is no real issue that surfaces here. But with certain crimes, typically crimes of an interpersonal nature, a close look shows us how the misuse of language can saddle the successful prosecution of offenders by laying partial blame on victims for the crime itself or by painting an inaccurate picture of rape as a consensual sexual act.



Jackson Katz (jacksonkatz.com), nationally known victim advocate and co-founder of the Mentors in

Violence Prevention program, gives a simple example of the impact of language in crimes of violence against women by using the following illustration. Notice the progression of the following statements.

John raped Mary.

This represents an accurate description of what happened. It includes an active agent, *John*, and is not passively constructed.

Mary was raped by John.

Notice how Mary moves to the front of this passively constructed sentence and becomes the focus.

Mary was raped.

John is now completely out of the picture, and the focus is on Mary being raped. By who, we don’t know.

Mary is a rape victim.

John is not only completely out of the picture, but Mary is left with her identity being defined by the crime. She carries the stigma while John bears no responsibility.

A look at these sentences shows us how the subtle practice of victim blaming is woven into our daily nomenclature. Sexual assault is not something that we like to talk about, and sometimes it is easier for us to

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Stalking Resource Center

Stalking is a pervasive, dangerous, and—far too often—lethal crime. Despite the prevalence of this crime, responders and service providers are often ill-equipped to recognize and respond to victims’ needs. The Stalking Resource Center (SRC) meets such challenges by working to raise national awareness of stalking and to encourage local communities throughout the country to develop and implement multidisciplinary responses to the crime.

The Stalking Resource Center, launched as a program of the National Center for Victims of Crime in 2000, encourages greater community awareness of the danger and complexity of stalking, enhanced responses to victims, and increased offender accountability. As the only national training and technical assistance center focused solely on stalking, the SRC has provided assistance, training, and resources to tens of thousands of

victim service providers and criminal justice practitioners throughout the United States and has fostered innovations in programs for stalking victims and professionals who support them.

The SRC provides direct assistance to criminal justice and victim service organizations to build their capacity to respond effectively to stalking. The program helps communities develop and enhance

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SAVE THE DATE

28th Annual Texas Association Against Sexual Assault Conference

Leading the Change: Advocacy in Action

February 28, 2010 - March 4, 2010
South Padre Island, Texas

As we focus on "Leading the Change: Advocacy in Action," this year's conference will examine our complementary roles as social change agents with an extensive selection of primary prevention workshops that will continue to build the connection between sexual violence and other social justice issues. At the same time, we will also provide diversity, volunteer management, and leadership classes for advocates in addition to training for criminal justice professionals, sexual assault nurse examiners, and clinical providers.

Registration:

Registration is open. In order to receive the member rate, you MUST login to the TAASA members' page at <http://taasa.memberlodge.org> before registering. The last day advance registrations will be accepted is Feb. 15, 2010. After that date, please register at the conference.

Hotel Information:

Isla Grand Beach Resort
500 Padre Blvd.
South Padre Island, TX 78597
www.islagrand.com

Registration Fees	TAASA Members*	Non-Members
Advance Registration (through Feb. 15)	\$250	\$300
Late Registration (on site only)	\$350	\$400

For individual reservations call 1-888-523-8952 or 1-956-772-4499

The conference reservations code is TAASA. The conference room rates of \$85 for cabanas and \$175 for condos are available three days before and after the conference. Rooming list or individual reservations not received by Jan. 29, 2010, will be accepted on a space and rate availability basis. Check-out time is 11 a.m. and check-in time is 3 p.m.

Continuing Education Units:

CEU's are available for Licensed Professional Counselors and Social Workers. CNE's are available for Registered Nurses. TCLEOSE hours are available for Law Enforcement Officers.



The Diversity Task Force scholarship program is intended to honor the spirit of grass roots advocacy and highlight individuals exhibiting extraordinary efforts within hard to reach populations.

The program awards financial assistance on a case by case basis in support of attendance to the TAASA Annual Conference. In line with our mission, the scholarship is open to **anyone** who demonstrates dedication to and performance of sexual assault prevention, intervention and/or social justice initiatives within hard to reach populations.

Online Application at www.taasa.org.

DEADLINE:
January 15, 2010

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find ways to distance ourselves from the ugly reality that people we know and care about have been victims of this crime. Sometimes people we know, or thought we knew, have even committed this crime.

This common habit of distancing and minimizing is perhaps best seen by perusing your local newspaper or other media sources. Clearly, an adult who commits a sexual act against a child, usually defined as someone under the age of 17, breaks the law. Children can not give legal consent to sexual acts; they are children. And yet an examination of the language that is used to describe rape often shows us how the media and others in our community minimize the crime by choosing to use consensual language to describe it. News stories often report that a father, step father or coach "had sex" with a child. "Having sex" connotes

consent, mutuality and equal power. People under a certain age are deemed legally incapable of giving consent. The recent news coverage about Roman Polanski poignantly illustrates this point. Polanski, in his 40's at the time, fed alcohol and Quaaludes to a thirteen- year-old girl, before subjecting her to vaginal and anal intercourse. Commenting on the case, Whoppi Goldberg stated that this wasn't "rape rape" but something else. She voiced a sentiment that we commonly hear when the circumstances of the incident don't involve overt violence or involve adolescents.

Similarly, we see news stories that involve adult victims of crime where this same inaccurate language is used. For example, a news story that suggests that the rapist pushed the victim onto a bed, forcefully removed her clothes and then "had sex" with her serves the same injustice and creates confusion for the reader. The chosen words may create a

doubt in the reader's mind. The reader may be thinking, "did the victim consent?". This kind of question is common, and one with which many readers automatically struggle given the skepticism that rape victims, more than any other class of victims, are met.

Report Writing: Law enforcement officers have both the privilege and the difficult task of responding to rape victims who call for help. Seeing the trauma on the face of a victim is difficult, and it may be tempting to use watered down language in order to ease the victim's burden of having to relive the event. But the use of minimizing language is a disservice not only to the truth but to the successful prosecution of the offender. The police report paints an indelible image of the crime and therefore must contain accurate language that does not inadvertently minimize the seriousness of the offense.

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Everyone knows that consensual sexual acts between consenting adults are very different than forced sexual acts, but a close look shows us that we sometimes import “language of consent” to describe humiliating criminal sexual acts. To illustrate this, notice the difference in implication of the following two sentences.

Mary performed oral sex on John.

This sentence creates not only an image of consent, but one that is almost seductive in nature. In what other crime report do you see the word “perform” to describe the victim’s compliance with the demands of a criminal? And yet sentences like this one appear in police reports all across the country. Imagine a robbery report that read, “Mary gently placed the money that the robber asked for into his open hand.” The sentence would cause us to wonder what really happened, and clearly does not paint the terrifying truth of a robbery.

John repeatedly forced his penis into Mary’s mouth.

This sentence is constructed accurately to describe an act of forced fellatio. It describes the elements of the offense in a way that is clear and not confusing.

Of course, victims do not typically report their crimes using the kind of clear cut non-consensual language that is illustrated in the above sentence. They may be confused about what happened to them, and may be just as uncomfortable as the next person speaking about the sexual acts to which they were subjected. They may use consensual language when describing the sexual acts, or terms that make sense to them.

They may minimize the crime, blame themselves for the rape, and experience embarrassment. All of these things, if not understood and taken into consideration, can result in a report that misses the mark.

As law enforcement officers you play a critical role. By creating a climate where the victim is free to provide the details of the crime, the

investigator can document the victim’s experience by asking questions that illustrate the reality of the crime and by using accurate language in describing it. Sexual assault is committed not just against the body of another person, but also against their soul or spirit. Vast numbers of rape survivors suffer symptoms related to Post Traumatic Stress Disorder both immediately following the rape and into the future. Too often, their experience is misunderstood or misinterpreted by those of us who work in the criminal justice system. In order to close the gap of misunderstanding from which prosecutors, judges and jurors sometimes suffer, a good report writer will bring the rape victim’s experience to life. After reading the report, the reader should truly understand what the victim experienced. By clarifying the circumstances surrounding the sexual act, documenting any fear that the victim experienced, and verifying that what is written accurately reflects what happened, we can better tell the truth of the crime.

www.annemunch.org

Interested in Becoming a SAFVIC Instructor?



We are currently seeking new instructors for our 24-hour SAFVIC for Law Enforcement course and our 8-hour SAFVIC for Telecommunication Professionals (TCPs) course.

Please visit www.safvic.org to find a blank application, criteria, deadlines, and more information about

2009 VICTIM SERVICE SURVEY

The SAFVIC Program provides law enforcement officers and 911 call takers training on how to better understand, investigate, and prevent family violence, sexual assault, and stalking across the state of Texas. Part of our mission is to promote coalition building between law enforcement officers and victim service agencies. In consequence, SAFVIC has conducted a survey to assess the impact our training has on coalition building

In a testament to the growing relationship between law enforcement agencies and victim services, slightly more than half (59%) of the victim service agencies indicated they respond to the scene of a crime if requested by law enforcement, though 37% do not. Most respondents indicated they have an ‘excellent’ (18%) or ‘very good’ (46%) relationship with local law enforcement agencies. Regrettably, 27% said their relationship with law enforcement was ‘average’ at best, and 2% said their relationship was poor.

The survey administered by the SAFVIC training staff reviewed the means by which victim service agencies were most often recommended to their clients. Of the agencies surveyed, 54% indicated referrals are made by law enforcement through agency referral cards given to police officers, but also through dispatch, and forensic interviews. Direct phone calls through crisis hotlines or through another agency are also a frequent source of client recommendations, approximately 31%.

Although many agencies conveyed having a good rapport with local law enforcement, there were still some issues expressed that respondents would like to see improved. A desire to bridge communication gaps between the two agencies was most frequently mentioned, as many respondents felt law enforcement was not

willing to embrace the knowledge that victim services offered. The following concerns were listed on multiple occasions:

- Allow us to do internal trainings, provide training to us, collaborate on board/coalitions.
- Need a greater understanding of the assistance provided by victim service agencies.
- Feel some law enforcement officers practiced victim blaming/interrogative interviews.
- Better assistance to special populations such as immigrants, children, elderly, and gay/lesbian individuals.

However, when asked to provide a list of members participating in local victim service coalitions, law enforcement agencies were almost always named alongside SANE programs, community members, victim assistance coordinators, and religious organizations.

Victim service agencies, community coalitions, and task forces are continuing to grow across the state of Texas. Nevertheless, according to the responses in this survey, there are still some issues which need to be resolved. Regrettably, half of the respondents had not heard of SAFVIC training for law enforcement until they received this survey. Broadening the scope of knowledge throughout the areas discussed will allow all parties to gain a better understanding of their roles in handling family violence, sexual assault, and stalking cases.

Special thanks to the Texas Association Against Sexual Assault (TAASA) for assisting with the 2009 SAFVIC Victim Service Survey.



To view the full 2009 SAFVIC Victim Service Survey, please visit www.safvic.org.



“Piecing together the tools needed to effectively investigate and prevent sexual assault, family violence, & stalking.”

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www.safvic.org

Texas Victim Service Association



Just celebrating its 10th anniversary, the Texas Victim Services Association (TVSA) is a membership organization that supports, educates and recognizes crime victim service providers. Members include advocates as well as prosecutors, law enforcement, mental health professionals, SANE nurses and others who also serve victims of crime.

TVSA provides ongoing communication and education among its members through its website - www.txvsa.org, regional events, a quarterly electronic newsletter, and an annual conference. The website's members-only section includes among other features a job board, funding resources and a blog. Those concerned about crime victims find TVSA a great way to stay on top of important relevant issues as well as communicate with like-minded professionals in their region and across the state. TVSA also serves as a mechanism for notifying others and being notified about programs and events of interest to victim service providers.

One of TVSA's initiatives for the upcoming year is developing a new Victim Assistance Academy to be offered in 2010. This comprehensive training will be designed in conjunction with a Texas university for victim service providers and allied professionals with limited experience or new to the field.

All TVSA programs and membership benefits are provided by a volunteer board of directors and volunteer committees made up of people who work in the field of crime victim assistance. Members can be confident that TVSA programs and services are developed BY victim service providers FOR victim service providers!

We invite you to become part of this growing organization for an annual membership fee of only \$25 (\$10 for students). It's easy to join online at www.txvsa.org.

For more information about TVSA or to become more actively involved, contact TVSA President, Courtney Fontenot at courtney.fontenot@cityofhouston.net or Communications Chair, Stephanie Frogge at stephaniefrogge@sbcglobal.net.

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services for victims of stalking, develop and implement effective stalking protocols and policies, assess civil and criminal remedies for stalking, and develop a coordinated community response to stalking.

The SRC has provided victim-centered, research-informed, and practice-based training to more than 35,000 individuals through 18 national conferences, dozens of regional trainings co-hosted with local providers, and presentations at hundreds of local, state, and national conferences. The SRC designs curricula to meet communities' specific needs and often partners with local and nationally recognized law enforcement officers, prosecutors, and other criminal justice professionals to provide training. Training topics include stalking prevalence, lethality and impact; stalking and intimate partner violence; stalking and sexual assault; stalking on campus; teens and stalking; investigating and prosecuting stalking; threat assessment and safety planning; working with victims; developing a coordinated community response to stalking; and the use of technology to stalk.

The SRC meets increasing re-

quests for training, assistance, and resources on how stalkers use technology (e.g., e-mail, instant messaging, cell phones, text messaging, listening devices, video/digital cameras, computer spyware, and global positioning systems). Stalkers also use Internet sites (e.g., online databases, chat rooms, blogs or bulletin boards, and social networking sites) to gather information about their victims or post information or threats. Such technologies, though largely not problematic in themselves, provide useful tools for stalkers. The SRC helps those who work with stalking victims to keep up with emerging technologies and aims to ensure that local services, practices, and policies effectively address these and other emerging challenges.

The SRC has also produced a range of guides, videos, and other tools to help communities respond to stalking. These resources include:

- *COPS Problem-Oriented Policing Guide*, which provides information to enhance law enforcement responses to stalking.
- "Stalking: Real Fear, Real Crime," an 18-minute training video centered on the Peggy Klinke stalking and murder case and designed to educate a wide variety of audiences about the dangers of stalking.
- "Links in the Chain: Two Communities Respond to Stalking," featuring two jurisdictions that successfully

use multidisciplinary, collaborative responses to stalking.

National Stalking Awareness Month (NSAM), also launched by the SRC, aims to increase the public's understanding about stalking. Since 2004, the SRC has produced downloadable and replicable artwork, media tools, fact sheets, brochures, activity ideas, and additional resources used by hundreds of communities nationwide to raise awareness about stalking.

For almost ten years, the SRC has enhanced national understanding of stalking dynamics, offender behaviors, and the impact of the crime on victims. The program has increased knowledge about stalkers' varied motivations and the intersection of stalking and other crimes, such as domestic violence and sexual assault. The SRC has provided law enforcement, prosecutors, victim service providers, and other allied professionals with the skills to respond more effectively to victims. The SRC will continue working to ensure that communities have access to emerging research, data, and information on stalking, and are better equipped to respond to the crime.

Article provided by Michelle Garcia, Executive Director of the Stalking Resource Center.
www.ncvc.org/src