Sexual Coercion and Sexual Exploitation of Minor Teens (Statutory Rape)

curriculum module for youth service providers

Created by Virginians Aligned Against Sexual Assault
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http://www.varapelaws.org/

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Visit the URL below to download the video for this curriculum.

http://www.vahealth.org/civp/sexualviolence/varapelaws/crossing.html
What is Statutory Rape?
There is a lot of confusion around the term “statutory rape.” The laws vary from state to state, and most people are of the understanding that it refers to an adult engaging in sexual activities with an under aged teen, the actual statutory language may or may not explicitly state this definition. In Virginia, the law states:

§ 18.2-63, carnal knowledge of child between 13 and 15 years of age

If any person carnally knows, without the use of force, a child thirteen years of age or older but under fifteen years of age, such person shall be guilty of a Class 4 felony.

However, if such child is thirteen years of age or older but under fifteen years of age and consents to sexual intercourse and the accused is a minor and such consenting child is three years or more the accused's junior, the accused shall be guilty of a Class 6 felony. If such consenting child is less than three years the accused's junior, the accused shall be guilty of a Class 4 misdemeanor.

In calculating whether such child is three years or more a junior of the accused minor, the actual dates of birth of the child and the accused, respectively, shall be used.

For the purposes of this section, (i) a child under the age of thirteen years shall not be considered a consenting child and (ii) "carnal knowledge" includes the acts of sexual intercourse, cunnilingus, fellatio, anallinguus, anal intercourse, and animate and inanimate object sexual penetration.

In addition, Virginia Code Section § 18.2-371, “causing or encouraging acts rendering children delinquent, abused, etc.; penalty,” makes it a first degree misdemeanor when any person 18 years of age or older engages in consensual sexual intercourse with a child fifteen or older (under 18). A child under the age of 13 (12 and under) cannot legally give consent. Therefore, sexual activity with a child 12 and under would not fall under these statutes, but would be considered, legally, a forcible sex offense.

The law was written in this way to differentiate between those who were in fact sexually exploiting a teen, and those teens of a similar age who engage in consensual sexual activity.

What is Sexual Coercion and Exploitation of Minor Teens?
The legal definition above doesn’t take into account all the behaviors that may be problematic in considering “under-age” teen sexual activity. For these reasons, a more descriptive term has been
used to better capture the issues: Sexual Coercion and Sexual Exploitation of Minor Teens.
What this refers to is all problematic sexual behavior involving minors. It may be coercive behavior on the part of a teen of the same age; it may be a teen or an adult taking advantage of a younger teen, or of his or her own “enhanced” older teen or adult status.

*This curriculum is not intended to be a law enforcement curriculum; primary concern is with coercive and exploitive situations, rather than the statutory legal definition.*

**Who is at risk for being sexually exploited?**
While sexual predators may victimize any teen, some teens may be more at risk.

**[exercise]**
Ask for examples of teens who are likely to be at high risk.

*On board:*
Any teen who: (examples if needed)
- has low self-esteem
- in need of attention
- has low parental involvement
- is a victim of bullying
- has a mental or physical disability or impairment
- is insecure about body image
- victim of child sexual abuse
- has overly authoritarian parents
- is abusing substances

[Ask: does this include boys? (yes). Make sure the risk factors above are added if group does not come up with on their own.]

These teens are particularly likely to be targeted by adults or older teens. While girls are particularly vulnerable, boys are often coerced into sexual activity as well. **Teens who have been victims of child sexual abuse may also be particularly at risk.** Many victims of child sexual abuse have not been allowed to develop healthy boundaries, or have learned to derive a sense of self-worth from their sexual attractiveness. These factors can cause a victim of child sexual abuse to either not know how to judge or defend herself against exploitation, or may lead to sexual acting out.

**Who is at risk for being an exploiter?**
Some of the same risk factors for being exploited apply to exploiters as well.

- Older teens who may not feel confident of their ability to attract and maintain a relationship with an equal may turn to someone younger as a way to bolster self-esteem.
- Men/older boys who have rigid, stereotyped views of masculinity may see the “conquest” of a young girl as an affirmation of their masculinity.
- Older teens and adults who have control issues may find it easier to control someone who is younger.
- Adults who have not been successful in their relationships with other adults may turn to preying on young teens.
- Victims of child sexual abuse may abuse younger teens.
While men are the predominant offenders, women may engage in coercive or exploitive relationships with teens as well. They are more likely to use flattery or bribery than threats or overt force.

Factors contributing to sexual exploitation
What factors contribute to sexual exploitation of young teens?

[exercise]
Social Factors: Ask for examples
On board:
Social Factors: (starter examples if needed)
• society focus on women’s sexual attractiveness
• society’s narrow definition of female beauty
• media depiction of young teens as sexually available
• cultural myth that men’s virility can be measured by ability to attract young girls
• myths that young girls or boys should be “sexually initiated” by older teen or adult

These social factors contribute to many young women feeling insecure about their attractiveness, or as if they must present themselves as sexual beings even if they do not feel ready for this. Sexual exploiters use these facts to their advantage.

Recognizing sexual coercion and exploitation
Anytime an adult has a sexual relationship with someone who is underage, it is a form of exploitation, even if no overtly coercive behavior appears to be involved. The adult is using the sexual and emotional inexperience of the teen to get something from them.

- The teen herself may not (probably doesn’t) see the relationship as exploitive or coercive.
- Many feel flattered that they are getting this affirmation of their attractiveness and maturity.
- Even if the teen recognizes that the relationship is going too fast, or that it feels scary or uncomfortable, they will probably not express these feelings for fear of seeming “immature” or “unworthy” of the attention.
- The exploiter will probably use grooming techniques to override resistance or objections on part of the young teen.
On board, list the five categories of sexual coercion shown below, and ask for examples (if video viewed, allow time for participant reaction/comments and ask for examples of the five categories of sexual coercion). If needed use the examples shown to get people started:

On Board: (Starter Example):
Threats: “I'll tell everyone that you're a slut if you don't do it.”
Bribes: “I'll take you to the prom.”
Status: “Hey, the other girls would kill to go out with me.”
Flattery: “You’re so sexy, I thought you were at least 18”
Intimidation: “no one will be able to hear you…”

Sexual coercion may or may not include the use of force, threat, or intimidation. It may or may not include the use of “date rape drugs” to facilitate sexual assault. Alcohol is the most widely used “date rape drug.”

Other forms of sexual coercion may take place in the context of an abusive relationship. These forms include expressing anger, manipulating by appealing to sympathy (“you don’t love me”), jealousy and possessiveness and other controlling behaviors, including physical violence.

Recognizing grooming techniques
Sexual predators most often depend on “grooming techniques” to first “test” a potential victim, and then to get past any barriers or reluctance on the part of the victim. Flattery and attention are usually the first techniques used. The next phase may include “friendly” touching—hugs, touches on the knee, kissing the cheek. If the teen objects, they will try to “normalize” the behavior to make it appear that the teen is being unreasonable. “Oh, come on, afraid of a little hug?” or “I’m just trying to be friendly!” are ways sexual predators attempt to normalize their behavior—and make it appear that it is the victim who has the problem. Note: many “grooming” behaviors may be similar to usual dating behaviors.
Stages of “grooming” behavior

(note: the language below refers to the victim as “she” and perpetrator as “he,” but both may be of either gender).

Stage One: Testing
This is the tactic a sexual predator uses to “test” someone, to see if she is vulnerable. During this stage, the perpetrator will try to cross the teen’s boundaries in various ways: making sexual statements or innuendoes; giving inappropriate gifts; flattery; offering help with schoolwork; seeming to be emotionally nurturing or understanding; touching in seemingly “friendly” ways.

Stage Two: Desensitization
Desensitization is the tactic used to get someone “accustomed” to sexually coercive behavior. During this stage the offender tries to make the teen feel less sensitive to intrusive acts by minimizing her reactions to the offensive behavior—“I’m just being friendly!” The teen may begin to question her feelings, or to feel that she may be overreacting. The perpetrator will probably belittle the teen if she expresses doubt about sexual behaviors to force her to “prove” that she’s “worthy” of the attention he’s bestowing on her. He may also pretend to feel hurt, in order to make the teen feel guilty.

Stage Three: Isolation
Isolation means removing someone from sources of safety and support. The perpetrator may attempt to convince the teen that her friends are “immature” and that someone as mature as she should hang out with older teens/adults. He may insist that he is the only one who really cares about or understands her. Any objections the teen may express on behalf of herself or her family (“my parents told me I couldn’t date anyone older than me”) will be put down. If her friends try to convince her that she’s being taken advantage of, he will try to alienate her from them.

Stage Four: Control
Once the perpetrator has been successful in attempts to coerce the teen into a sexual relationship, he will usually try to maintain control over her with additional manipulative techniques. These may include:
- possessiveness
- jealousy
- further isolation from friends
- threats and intimidation
- threats of self-harm
- expressions of love
- anger and violence
- gifts and bribery
- playing on teen’s insecurity
- constant presence
**Preventing sexual coercion and exploitation**
Understanding the dynamics of sexual exploitation, and recognizing risk factors and coercive techniques, are the first steps to preventing sexual exploitation. Education efforts need to be directed both to older teens, so they can understand the benefit of healthy, non-exploitive relationships, and to young teens, so they can learn to recognize coercive and grooming behaviors for what they are.

**Victim-blaming**
A lack of understanding about sexual assault in general, and sexual coercion in particular, causes many people to place the blame for sexual coercion on the victim. Unfortunately, because it is so difficult for us to discuss sexuality in our society, we do not give young people the information they need to make intelligent informed decisions about issues such as how to maintain their boundaries, how to know if a relationship feels right, and how to be respectful in relationships.

**[exercise]**
Because of myths relating to sexuality and gender in our culture, many people do not recognize that the responsibility for avoiding sexual coercion is on those who prey upon young teens—not on the teens themselves. This exercise is designed to help people recognize when they or others may be giving the message to the victim that the exploitation is her fault. (Try to elicit all the phrases below from participants… you may have to lead them.)

When talking with young people, what victim-blaming phrases do we tend to use?
- you should have known better
- didn’t you think…
- why did you let him…
- any “you should/shouldn’t” statements
- why did you go there?
- no wonder, with the way you’re dressed!

**Reaching out to teens being coerced/exploited**
If we see a teen in a relationship that we recognize may be coercive, abuse, or exploitive, how can we encourage teens to talk to us or to seek help? Remember not to use the victim-blaming statements we identified in the last exercise! Ask a local sexual assault crisis center to come in to talk to your group or class. Make it clear that you are available to teens who may have questions.

**[exercise]**
How can we help teens feel safe coming to us if they are in an exploitive relationship?
- Put posters about sexual exploitation/harassment/assault on classroom walls
- Let teens know you are open to talking about difficult things
- Invite speakers to class (local SACC or school peer educators)
- Avoid making judgmental statements about teens
Prevention: education
There are many educational curricula designed to promote healthy relationships among teens, and to reduce the likelihood of sexual coercion and exploitation. Local sexual assault crisis centers may have an existing program for local schools. The most successful programs tend to be peer-led, and include education of boys as well as girls. It is also helpful to have both male and female facilitators whenever possible. Programs that provide time for teens to dialogue, both together and separated by sex, are useful because they allow for teens to discuss things they may feel uncomfortable discussion in front of the other gender, while still allowing for teens to learn about each other’s feelings and expectations.

[handout]
A successful sexual coercion/exploitation prevention education program can:

- Stress that the victim is not to blame
- Discuss gender roles and stereotypes (media examples are good take-off points)
- Help teens figure out what they want from a relationship
- Stress that both boys and girls can be victims
- Discuss power, sexuality, and violence
- Help teens understand appropriate and inappropriate behavior
- Help boys learn non-aggressive ways of relating
- Give boys information on how they can express their masculinity in non-exploitive, non-violent ways
- Give information about grooming behaviors
- Give information about the law
- Stress that boys and men, not women and girls, are primarily responsible for ending sexual assault (since they are majority of perpetrators)
- Include information about sexual assault and sexual coercion
- Include information about how to get help if someone has been assaulted or coerced, including confidential hotlines and community sexual assault services
- Empower boys to respond to sexually aggressive behavior on the part of others
- Empower girls to feel okay about asserting their own wants and needs
- Empower teens to establish healthy boundaries, and respect others’ boundaries
[Handout: list of curricula and resources]

*Acquaintance Rape and Sexual Assault: A Prevention Manual*
Parrot, Andrea, PhD; Learning Publications 1-800-222-1525

*Drawing the Line: A Guide to Developing Effective Sexual Assault Prevention Programs for Middle School Students*
American College of Obstetricians and Gynecologists National Rape and Sexual Assault Prevention Project 202-638-5577

*The Men's Program: How to Successfully Lower Men’s Likelihood of Raping*
Foubert, John; Learning Publications 1-800-222-1525

*Preventing Sexual Abuse: Activities and Strategies for Those Working with Children and Adolescents*
Plummer, Carol A; Learning Publications 1-800-222-1525

*Rape 101: Sexual Assault Prevention for College Athletes*
Parrot, Andrea, Nina Cummings and Timothy Marchell; Learning Publications 1-800-222-1525

*Sexual Abuse Prevention: A Course of Study for Teenagers*
Fortune, Marie M and Rebecca Voelkel-Haugen; United Church Press 800-537-3394 or ucpress.com

*Sex Without Consent: Vol. I, Peer Education Training for Secondary Students*
Simon, Toby B and Cathy A. Harris; Learning Publications 1-800-222-1525

*Unmasking Sexual Con Games: Helping Teens Avoid Emotional Grooming and Dating Violence*
McGee, Kathleen M. and Laura J. Buddenberg; Boys Town Press 1-800-282-6657
Virginia Law

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