

Article: Recognizing Sexual Assault

All members of the Coast Guard should know how to identify sexual assault. This will allow you to avoid acts that are questionable or can lead to sexual assault. It can also help you know whether you've been sexually assaulted, so you can seek for and receive needed assistance. Finally, it can help you know when to step in to help others.

After completing this article, you should be able to define and recognize sexual assault, as well as know the difference between "consent" and "lack of consent".

Who becomes involved in sexual assault?

Be aware that, contrary to popular perception, both men and women can commit sexual assault and both can become victims.

In addition, sexual assault can take place between genders (a man assaulting a woman or vice versa) or between people of the same gender. When same-gender assault takes place, neither the victim nor the offender are necessarily homosexual.

Offenders sexually assault their victims to humiliate and dominate them. Sexual assault to them is about gaining power and control, **not** about romance, passion, or even sexual gratification.

What is sexual assault?

Sexual assault is intentional sexual contact, set apart from legal sexual activity because it includes:

- Force
- Threats
- Intimidation
- Abuse of rank or authority
- A situation where the victim does not consent
- A situation where he or she cannot legally consent, such as when the victim is:
 - Drunk or under the influence of drugs
 - Unconscious or asleep
 - Incapacitated
 - Underage
 - Unable to understand the nature of the sexual act

Specific acts that are included as sexual assault are rape, forcible sodomy, and other unwanted sexual contact that is aggravated, abusive, and/or wrongful.

An attempt to commit one of these acts is also considered sexual assault.

What is consent?

Consent is words or overt acts by a competent person indicating a freely given agreement to the sexual conduct at issue. Consent can be denied at any point (even if, for example, the two people have had sex in the past or have made suggestive remarks or acts).

Did You Know?

According to the Department of Justice, 1 in 4 females and 1 in 6 males are sexually assaulted.

What is lack of consent?

The following shows a lack of consent:

- Declining or expressing unwillingness to engage in a sexual act (No means NO!)
- Lack of physical resistance to conduct without overt words or acts of consent
- Submission resulting from the offender's
 - use of force,
 - threat of force, or
 - placing another person in fear
- Submission resulting from the victim's
 - intoxication,
 - unconsciousness,
 - incapacitation, or
 - substantial incapability to understand the nature of the sexual acts

In addition, the following does NOT imply consent:

- Current or previous dating relationship—just because two people are dating, have been intimate, or are married doesn't mean that one person can insist on or force sex on the other
- A person's manner of dress— the way another person is dressed does not excuse you from your responsibility to obtain consent from them

What are examples of situations, words, or actions that show a lack of consent?

Words and actions which indicate that a person does not consent include:

- "Not now"
- "I'd rather be alone"
- "I'm not sure"
- "I'm not ready for this" or "I don't feel good about this"
- "You've been drinking" or "I've been drinking"
- Pushing you away, moving away from you, trying to leave
- Crying
- Silence

If you are in doubt whether the other person consents or not, ask. Communication can help you avoid making bad assumptions about a partner's wants and getting into trouble because of it.

Myth

"She was asking for it by the way she dressed."
Fact: Dressing attractively, or even provocatively, is often used simply as a way to get attention, not to invite sexual conduct, and does not constitute consent.

Myth

"The other person didn't say anything and didn't resist, so it was okay."
Fact: They may have felt afraid or pressured and were unable to speak or resist. This is not consent.