

UNIFORM DEFINITIONS FOR SEXUAL VIOLENCE

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“Sexual Violence Surveillance: Uniformed Definitions and Recommended Data Elements”

VIOLENCE AND ASSOCIATED TERMS

Sexual Violence: Nonconsensual completed or attempted contact between the penis and the vulva or the penis and the anus involving penetration, however slight; nonconsensual contact between the mouth and the penis, vulva or anus; nonconsensual penetration of the anal or genital opening of another person by a hand, finger or other object; nonconsensual intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh or buttocks; or nonconsensual non-contact acts of a sexual nature such as voyeurism and verbal or behavioral sexual harassment. All of the above acts also qualify as sexual violence if they are committed against someone who is unable to consent or refuse.

Sexual violence is divided into five categories:

1. A completed sex act without the victim’s consent or involving a victim who is unable to consent or refuse
2. An attempted (non-completed) sex act without a victim’s consent, or involving a victim who is unable to consent or refuse
3. Abusive sexual contact
4. Non-contact sexual abuse
5. Sexual violence

Consent: Words or overt actions by a person who is legally or functionally competent to give informed approval, indicating a freely given agreement to have sexual intercourse or sexual contact.

Inability to consent: A freely given agreement to have sexual intercourse or sexual contact could not occur because of age, illness, disability, being asleep, or the influence of alcohol or other drugs.

Inability to Refuse: Disagreement to have sexual intercourse or sexual contact was precluded because of the use of gun or other non-bodily weapons, or due to physical violence, threats of physical violence, real or perceived coercion, intimidation or pressure, or misuse of authority.

Sex Act or Sexual Act: Contact between the penis and the vulva or the penis and the anus involving penetration, however slight; contact between the mouth and penis, vulva, or anus; or penetration of the anal or genital opening of another person by a hand, finger, or other object.

Abusive Sexual Contact: Intentional touching, either directly or through the clothing of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person without his or her consent, or of a person who is unable to consent or refuse.

Non-Contact Sexual Abuse: Sexual abuse that does not include physical contact of a sexual nature between the perpetrator and the victim. It includes such acts as voyeurism; intentional exposure of an individual to exhibitionism; pornography; verbal or behavioral sexual harassment; threats of sexual violence to accomplish some other end; or taking nude photographs of a sexual nature of another person without his or her consent or knowledge, or of a person who is unable to consent or refuse.

Incident: A single act or series of acts of violence that are perceived to be connected to one another and that may persist over a period of minutes, hours, or days. One perpetrator or multiple perpetrators may commit the incident.

Examples of an incident include a husband forcing his wife to have unwanted sexual acts but only one time, a stranger attacking and sexually assaulting a woman after breaking into her apartment, a man kidnapping a female acquaintance and repeatedly assaulting her over the weekend before she is freed, a college student forced to have sex with by several men at a fraternity party, a man forcing his boyfriend to have unwanted sex, or a family member touching the genitalia of a six-year-old child.

INVOLVED PARTIES

Victim: Person on whom the sexual violence is inflicted. Survivor is often used as a synonym for victim.

Perpetrator: Person who inflicts sexual violence

Intimate Partner: Current legal spouses, current common-law spouses, current boyfriends/ girlfriends (same or opposite sex), former legal spouses, former common-law spouses, separated spouses, or former boyfriends/ girlfriends (same or opposite sex). Intimate partners may or may not be cohabitating. Intimate partners may or may not have an existing sexual relationship. If the victim and the perpetrator have a child in common, but no current relationship, then by definition, they fit into the category of former legal spouse, former common-law spouse, or former boyfriend/ girlfriend. States differ as to what constitutes a common-law marriage.

Current and Former Legal Spouse: Someone with whom the victim is or was legally married, as well as separated legal spouse.

Another Current or Intimate Partner: Someone besides a legal, current, former, or separated spouse, with whom the victim has or had an ongoing intimate relationship, such as a common-law spouse, former common-law spouse, separated common-law spouse, cohabitating intimate partner, former cohabitating intimate partner, boyfriend/ girlfriend, former girlfriend/ boyfriend (same or opposite sex).

Another Family Member: Someone sharing a relationship by blood or marriage, or other legal contract or arrangement (i.e. legal adoption, foster parenting) this includes current as well as former family relationships. Therefore, though not an exhaustive list, stepparents, parents,

siblings, former in-laws, and adopted family members are included in this list. This category excludes intimate partners.

Person in Position of Power or Trust: Someone such as a teacher, nanny, caregiver, foster care worker, religious teacher, coach or employer.

Friend/ Acquaintance: Someone who is known to the victim, but is not related to the victim by blood or marriage, and is not a current or former spouse, another current or former intimate partner, another family member, or a person in a position of power or trust. Examples are a co-worker, neighbor, date, former date, or roommate.

Another Non-Stranger: Someone who is known by sight but is not a current or former spouse, another current or intimate partner, another family member, a person in position of power or trust, or a friend/ acquaintance. Examples include guards, maintenance people, or clerks.

Stranger: Someone unknown to the victim

TERMS ASSOCIATED WITH THE CIRCUMSTANCES AND CONSEQUENCES OF VIOLENCE

Illness: An acute or short-term condition of poor health. It includes a physical or mental condition. Examples of illnesses are pneumonia or depressive episodes.

Disability: Any chronic or long-term impairment resulting in some restriction or lack of ability to perform an action or activity in the manner or within the range considered normal. It includes a physical or mental impairment. Examples of disabilities are mental retardation, paralysis, or clinical depression.

Substance Abuse: Abuse of alcohol or other drugs. This also includes alcohol or other drug dependence.

Substance Abuse Treatment: Any treatment related to alcohol or other drug use, abuse, or dependence

Pregnancy Impact: Pregnancy resulting from sexual violence or loss of an existing pregnancy following physical violence

Physical Injury: Any physical harm, including death, occurring to the body, resulting from exposure to thermal, mechanical, electrical, or chemical energy interacting with the body in amounts or rates that exceed the threshold of physiological tolerance, or from the absence of such essentials as oxygen or heat. Examples of physical injuries are vaginal or anal tears attributable to an incident of sexual violence.

Psychological Functioning: The intellectual, mental health, emotional, behavioral, or social role functioning of the victim. Changes in psychological functioning can be either temporary or intermittent (persisting for 180 days or less) or chronic (likely to be of an extended and continuous duration persisting for a period of greater than 180 days).

Examples of changes in psychological functioning includes increases in development of anxiety, depression, insomnia, eating disorders, post-traumatic stress disorder, dissociation, inattention, memory impairment, self-medication, self-mutilation, sexual dysfunction, hypersexuality, and attempted or completed suicide.

Inpatient Medical Health Care: Treatment by a physician or other health care professional related to the physical health of a victim who has been admitted to a hospital.

Outpatient Medical Health Care: Treatment by a physician or other health care professional related to the physical health of a victim who has not been admitted to a hospital. Includes treatment in an emergency room

Physical Evidence Collection: Collection of hairs, fibers or specimens of body fluids from a victim's body or garments that may aid in the identification of the perpetrator.

Mental Health Care: Individual or group care by credentialed or licensed psychiatrists, psychologists, social workers, or other counselors related to the mental health of the victim. Excludes substance abuse treatment. It may involve treatment when the victim has been admitted to a hospital or when the victim has not been admitted. It includes pastoral counseling if such counseling is specifically related to the mental health of the victim.

Residential Institution: A location where the victim or perpetrator resides. Includes settings such as a nursing home, a college campus, a retirement home, or a jail/ prison.

Commercial Establishment: A business such as a restaurant, a bar or club, or a gym or athletic facility.

Law Enforcement: Police, as well as tribal authorities, prison authorities, and campus authorities.