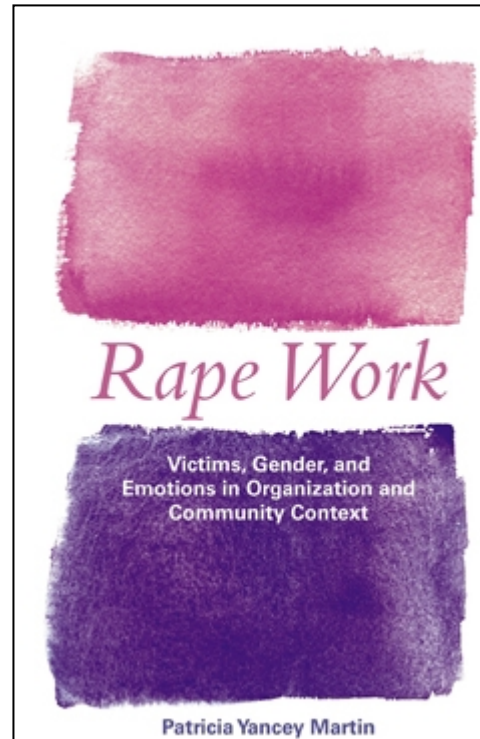


Why 30 Years of Feminist Activism Failed to Stop Harm to Rape Victims

Florida Council Against Sexual Violence
St. Petersburg, Florida
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Source Material



Data for the study

Face-to face interviews with 200 informants in 130 organizations in 28 Florida communities:

42 law enforcement agencies: 18 police & 24 sheriff

19 hospitals

25 rape crisis centers

19 prosecution offices

6 judges

6 Defense attorneys (public and private)

19 misc: mental health clinics, therapists, MDs,
medical examiners, child protection teams, etc.

Additional data sources

- Observation of rape trials
- Telephone follow-up interviews with 33 FL rape crisis centers
- Ethnographic data from RCCs in MO, PA, and NY
- PHHS & CDC data from U. S. government
- Department of Justice statistics
- State & federal reports

Rape Work

- Helping, comforting, counseling victims
- Examining, interviewing & testing victims
- Collecting evidence: verbal & material
- Arresting, charging, & prosecuting rapists
- Investigating cases
- Moving victims through a community's legal, & social service systems
- Working with staff in other organizations
- Training, developing protocols, holding meetings

Owning rape

Making work with victims & pursuit of rape cases/rapists/convictions a top priority

Responsiveness

- Acting to help victims recover & obtain justice
- Affirming victims' needs for comfort & support
- Avoiding excessive challenges to victims' accounts
- Being proactive about investigating & prosecuting rape cases

Organizational features

- Mission & goals
- Corporate-legal status (public, non-profit, for profit)
- Scale (# employees, budgets, etc.)
- Authority structure
- Core work activities
- Leadership (elected, professional background, etc.)
- Gender: Senior level, Work with RVs, Support staff
- Staff characteristics: Paid/volunteer, Ed, Unions, Age
- Involvement with victims & alleged rapists

Institutions, Communities, Organizations, Jobs & Rape Workers

Societal Institutions & Local Communities:

Legal-Justice

Medical/Therapeutic

Gender/Women's Movement

Organizations:

**LE, Hospitals, Prosecutors,
Judges, Defense Attorneys,
Juries, Rape Crisis Centers**

Jobs: Cop/deputy, MD, nurse, prosecutor,
defense attorney, judge, juror, crisis
counselor, victim advocate

Organizational Frames that Affect Rape Workers' Perceptions and Practices

Institutional frames

Interorganizational frames

Social construction of victims frames

Institutional Frames

- Specify and shape
 - Mission
 - Norms
 - Obligations
 - Practices
- Relative to the broad societal context within which the organization is situated

Interorganizational Frames

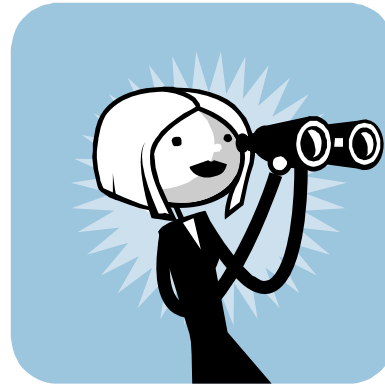
Specify and shape ...

- Standards
- Means
- Rationales

.....for dealing with other organizations and entities in the community and with the media and public

Social Construction of Victims' Frames

- Inform rape workers about how to view and treat victims



- Specify rules and routines for working with them (what RVs are like, is expected of them, what they need, what the organization does to/for them)

Law Enforcement Orienting Frames and Mottos



Institutional mottos

We have to build good cases

We are evaluated on clearance rates

We're responsible for all crimes and rape is only one crime



Interorganizational mottoes

- *If we don't build good cases, the prosecutor won't file on our cases or support us to make arrests*
- *We are sensitive to public opinion and the media. We watch what we say & do*
- *They [hospital staff] don't understand rape exams*



Mottoes that socially construct rape victims

- *Rape victims are unpredictable*
- *Some girls stay out all night and say it's rape they're scared to tell their parents*
- *Rape cases are hard to win*

Hospitals' Orienting Frames and Mottoes

Institutional mottoes



- *Rape exams are not medical procedures*
- *We don't understand rape exams*
- *We can't drop everything when a rape victim arrives*
- *Doctor-patient privilege is violated*



Interorganizational mottoes

- *Someone else should do rape exams*
- *We hate legal involvement*



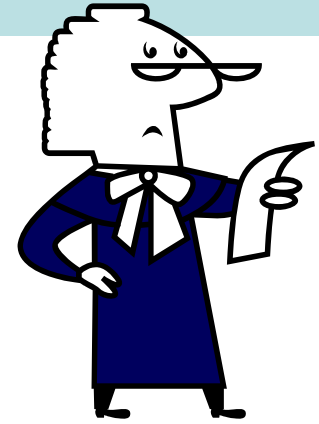
Mottoes that **socially construct** rape victims

- *We should not do these exams*
- *Rape victims are not true patients*
- *Some are not even real rape victims*
- *Rape victims make us uncomfortable*
- *Rape cases take too much time....*

Prosecutors' Orienting Frames & Mottoes

Institutional mottoes

- *We work for the community not the victim*
- *Polygraph results can help us*
- *These cases are a mess*
- *Beyond a reasonable doubt too high a standard*
- *We need a jury favorable to our trial*





Interorganizational mottoes

- *We weed out the bad cases at the beginning*
- *We take public opinion into account*



Mottoes that **socially construct** rape victims

- *Many victims can't help us*
- *She has to be a good witness*

Defense Attorneys' Orienting Frames and Mottos

Institutional and interorganizational mottos



- *The state must prove its case beyond a reasonable doubt*
- *The accused has a right to confront his accuser*
- *We do whatever is necessary*
- *We need a jury favorable to our trial*



Mottoes that **socially construct** rape victims

- *Trash the victim, trash the victim*
- *Rape victims are no different from other victims*

Judges' Orienting Frames and Mottoes

Institutional and interorganizational mottoes



- *We just follow the law. We protect the rights of the accused*
- *As a third branch of government, judges have lots of power*
- *Judges are political responsive to the electorate*



Mottoes that **socially construct** rape victims

- *Sexual battery cases are no different from any other crime*

Juries' Orienting Frames and Mottos

Mottos that **socially construct** rape victims



- *She was dressed for a good time*
- *She didn't seem upset enough*
- *She should know better than to*

Rape Crisis Centers Orienting Frames and Mottoes



Institutional mottoes

(informed by gender system/equality goals)

- *We'll talk to anybody any time about rape*
- *The media is lazy so we hand it to 'em*
- *We write legislation for them*
- *We create materials and models for them*



Interorganizational mottoes

- *We take responsibility for them*
- *We give them (or let them take) credit*
- *We never say 'no' to law enforcement*
- *I really want to curse people out [but] that can't be my role*
- *I step in if an officer mistreats a victim*



Mottoes that socially construct rape victims

- *We tell victims, 'I am so sorry this happened to you'*
- *I accept whatever she says*
- *All we do comes from victims*
- *We do whatever it takes*
- *We protect victims from 'the system'*

Positive Developments In Last 30 Years

- **Rape Crisis Centers**
Started mid-1970s; ~1200 in US in 1996
- **Sexual Assault Nurse Examiner (SANE) Programs**
Started Memphis '76, Minneapolis '77, Amarillo '79
- **Sexual Assault Response Teams (SARTs)**
Spreading across USA (rare 30 years ago)
- **Victim-advocates (or victim-witness-advocates)**
In LE and prosecutors' offices (due largely to VOCA and VAWA funds)

Statutory/legal reforms



- Increased sentences
- Removal of spousal exclusions in rape laws
- Removal of corroboration requirements
- Removal of resistance clauses
- More shields against revealing victim's sexual and social history
- More civil commitment options for sexual offenders
- Mandatory sexual offender registration and notification

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