

# Media Guide for Reporting on Sexual Violence

## PURPOSE

This Media Guide is provided to encourage media professionals to report about sexual violence in a trauma-informed, accurate way. Media coverage influences the knowledge, beliefs, attitudes and behaviors of the public about sexual violence, which can directly impact victims and how they are perceived by the community, family, friends, coworkers and suspected offenders. Sexual violence is one of a few crimes where a victim's actions are scrutinized more than an offender's.

The media can help the public gain a better understanding of sexual violence by producing articles or reports on the underlying causes, as well as its impact.

## RAPE AND SEXUAL ASSAULT ARE FORMS OF SEXUAL VIOLENCE

Rape is violence, not “sex.” Reporting on sexual assault means finding not only the right language but the context and sensitivity to communicate a trauma that is at once deeply personal yet also a matter of public policy; immediate and yet freighted with centuries of stigma, silence, and suppression. Reporting on sexual violence requires special ethical sensitivity, interviewing skills, and knowledge about victims, perpetrators, law and psychology.<sup>1</sup>

Sexual violence is a serious public health issue in Hawaii. It often results in significant and lasting consequences for victims, families, and our communities. The term “sexual violence” covers a range of behaviors commonly referred to as sexual assault, sexual abuse, or sexual harassment. Hawaii's sexual assault statutes cover four degrees of sexual assault ranging from Class A felonies to petty misdemeanor offenses.<sup>2</sup>

Sexual violence is broadly defined as any forced, tricked, or coerced sexual activity. It can involve both contact and non-contact activity and occurs when the victim does not or is unable to consent to the sexual activity (due to age, disability, or incapacitation through the use of drugs or alcohol).<sup>2</sup>

<sup>1</sup><https://dartcenter.org/topic/sexual-violence>

<sup>2</sup><http://satchawaii.com/>

## KEY CONSIDERATIONS

According to the National Sexual Violence Resource Center (NSVRC), key considerations for journalists to impact sexual violence prevention include:

- using appropriate and trauma-informed language,
- providing comprehensive coverage that highlights prevention approaches with the greatest potential to reduce sexual violence and its consequences, and
- placing isolated events in the larger context of a broad public health issue.

When reporting on sexual violence, credible resources and information are essential. Statistical data should be provided both nationally and locally. National and Hawaii resource information for sexual violence prevention and the public health context are provided on page 6.





## SEXUAL ASSAULT TERMS

Responsible reporting on sexual assault requires an understanding of commonly used terms used by professionals who respond to sexual assault crimes. Consistency in the usage of these terms by the media is key to providing an accurate account of the circumstances, while using non-biased, neutral language to minimize victim re-traumatization.

### ***What is sexual assault?***

Sexual assault refers to sexual contact that occurs without the victim's consent. It can be fondling or unwanted sexual touching, forcing a victim to perform sexual acts including touching the perpetrator, or penetration of the victim's body, also known as rape.

### ***How is it different from "rape"?***

Rape is a type of sexual assault and is a term often used to specifically include sexual penetration without consent. The FBI defines rape as "penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim." But "sexual assault" can also include fondling or groping, which are not typically considered "rape." In Hawaii, "rape" has no legal definition and state statutes refer to such criminal acts as "sexual assault," however, you may hear or see the terms used interchangeably both in the media and public.

### ***What does "consent" mean?***

Consent is an agreement between participants to engage in sexual activity. There are many ways to give consent, and consent doesn't have to be verbal, but it must be freely given and informed, and a person can change their mind at any time.

In Hawaii, "consent" is not defined by statute. However, generally speaking, Hawaii law provides that a person commits a sex crime if:

1. the person subjects another person to a sexual act by compulsion; or
2. the person subjects to a sexual act another person who is mentally defective, mentally incapacitated, or physically helpless.

"Compulsion" means absence of consent, or a threat, express or implied, that places a person in fear of public humiliation, property damage, or financial loss. HRS §§ 707-700.

For additional terms and information, visit: <http://ag.hawaii.gov/cpja/home/hawaii-sexual-assault-response-and-training-hsart-program/>



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### EXAMPLES OF SEXUAL VIOLENCE

Sexual violence includes a spectrum of behaviors that may be completed or attempted:

- ◇ forced penetration of a victim,
- ◇ alcohol/drug-facilitated penetration of a victim,
- ◇ forced acts in which a victim is made to penetrate a perpetrator or someone else,
- ◇ alcohol/drug-facilitated acts in which a victim is made to penetrate a perpetrator or someone else,
- ◇ non-physically forced penetration which occurs after a person is pressured verbally or through intimidation or misuse of authority to consent or acquiesce, and
- ◇ unwanted sexual contact that does not involve penetration (e.g., groping), and non-contact unwanted sexual experiences

[https://vetoviolence.cdc.gov/sites/all/themes/veto\\_bootstrap/assets/sv-landing/SV\\_Media\\_Guide\\_508c.pdf](https://vetoviolence.cdc.gov/sites/all/themes/veto_bootstrap/assets/sv-landing/SV_Media_Guide_508c.pdf)



Victims, their families and friends will read, see, or hear what is reported, including reader or viewer comments.

Victim blaming can be prevalent in reader comments or social media which can re-traumatize the victim or influence a victim to either recant their disclosure or prevent them from coming forward. It is recommended that comments are actively monitored or turned off.

Actual comments from a local Hawaii newspaper:

- ◆ *“Nothing good happens after midnight?”*
- ◆ *“We know nothing of the reputation of the 16y.o. trying out her young girl persuasion on men who look at her. This incident was a waste of time for everyone which is why the penalty is light. no brainer.”*
- ◆ *“Nobody ever thought that maybe she could have staged everything?”*

It is also recommended that a “shirttail” be provided at the end of each report to refer the reader to available resources for assistance.

## LANGUAGE MATTERS

Suggested Language	Language to Avoid	Why It Matters
Sexual violence; sexual assault; sexual abuse; rape	Sex scandal	“Sex scandal” diminishes the crime and sensationalizes it. It removes the distinction between a normal, consensual act and violence/a potential crime.
Rape; sexual violence; sexual assault; unwanted sexual penetration; etc.	Sex or intercourse (used as euphemism for rape or sexual assault)	This blurs the line between what is a consensual sex act and what is a crime. “Intercourse” instead of “rape” prevents the public from fully understanding that the act was one of violence and not a mutually consensual act. Always avoid the language of consensual sex when age and power differentials negate the ability to consent.
Forced oral and genital contact	Perform oral sex	The use of the word “performed” wrongly assumes that the victim is the primary actor and was not forced. When in doubt, use actual body parts and describe the act perpetrated (e.g., the perpetrator forced their penis into the victim’s mouth).
Grope; unwanted sexual contact; unwanted touching	Fondle	Fondle suggests the perpetrated act is gentle, which may undermine a reader’s ability to see unwanted sexual contact as harmful.
Was forced to	Engaged in	The term “engaged in” assumes that the victim was an active participant, negating the fact that she/he was forced to participate.
Victim reports; victim says	Victim admits, victim confesses	Both “admits” and “confesses” imply responsibility and shame on the part of the victim.
Alleged victim; victim, survivor (if perpetrator convicted)	Accuser	Referring to the victim as the “accuser” means they are no longer the victim of the alleged perpetrator’s attack. The victim becomes portrayed as the one doing something to the perpetrator. In other words, the victim is now the perpetrator of the accusation. The perpetrator is transformed from the alleged perpetrator of sexual violence to the actual victim of their accusation. Excessive use of the word “alleged” or “claimed” implies disbelief of the victim.
Alleged perpetrator; perpetrator (if convicted)	Accused	“The accused” places the burden on the victim/survivor, who did the “accusing,” instead of calling attention to the alleged acts by the perpetrator. Similar to why “accuser” should be avoided, “accused” implies that someone accused them. Behaviorally specific language is clearer to the reader.

## THE IMPACT OF RAPE MYTHS

An analysis of nine research studies of rape myths and their impact on juries found that eight of the nine studies supported the idea that jurors' judgements are influenced by rape myths and that rape myth acceptance is associated with not-guilty verdicts.<sup>1</sup>

## A CASE STUDY

When media outlets do discuss acquaintance rape, *how* it is discussed can also contribute to victim blaming.

For example, Franiuk et al. (2008) exposed participants to headlines about an acquaintance rape case against basketball star Kobe Bryant. These headlines were modeled after actual headlines used in newspaper accounts of Bryant's case and either contained rape myths (e.g., "Defense attorneys in sexual assault case say accuser had motive to lie") or not ("Hearing set for man accused of sexual assault"). Participants tended to see Bryant as less guilty after reading headlines containing rape myths than neutral headlines, and this was particularly true among men. Men exposed to the rape myth headlines also endorsed rape-supportive attitudes more so than men in the control condition. In short, the media may exacerbate endorsement of rape myths, which in turn promotes greater victim blaming.<sup>2</sup>

Note: The use of the term "acquaintance" above is due to the researcher's use of the word and is discouraged. See "The Media's Role" on this page.

1 <https://www.nsvrc.org/sarts/toolkit/5-12>

2 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6348335/#B211>

## VICTIM BLAMING

Blaming the victim refers to the tendency to hold victims of negative events responsible for those outcomes. While victim blaming can occur in a variety of situations, it appears to be particularly likely in cases of sexual assault. As the victim and assailant become increasingly familiar and romantically involved, victim blame increases.

Researchers found that focusing participants on the victim's behavior produced the greatest amount of vic-

tim blame, while focusing on the assailant's behavior generally increased the relative blame assigned to him.<sup>1</sup>

1 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6348335/>



*“A victim’s reactions to being sexually assaulted may affect their demeanor or behavior or influence the victim’s recollection of the incident.”*

## ELIMINATING RAPE CULTURE

Rape culture is an accepted societal belief that normalizes rape, sexual assault and sexual harassment. Rape culture blames the victim for their own assault or harassment and encourages myths such as “she asked for it,” “he couldn’t help himself” and other falsehoods.<sup>1</sup>

Media can help dispel myths and stereotypes about sexual assault and gender biases in order to avoid sustaining unfounded prejudices among the public.<sup>2</sup>

1 <http://mediashift.org/2018/02/4-step-guide-teach-reporting-sexual-abuse/>

2 <https://www.inspq.qc.ca/en/sexual-assault/media/covering-sexual-assault-media>

## THE MEDIA’S ROLE

The way that sexual violence is framed in the media often shapes public opinion on the matter.<sup>1</sup> It is this same public that jurors in a criminal trial are selected from and whose opinions will scrutinize the credibility of witnesses, the victim, and the defendant.

Media focus on stranger rape tends to portray rapists as strangers with solely sexual motivations to assault attractive young females.<sup>2</sup> This causes acquaintance rape to be seen as less than as a sexual assault, resulting in increased victim blaming.<sup>3</sup>

This is why terms like “date rape” or “acquaintance rape” may lead some to think that it is a less serious type of rape when it is not. It’s appropriate to say that someone was “sexually assaulted by a intimate partner” or “sexually abused by a family member.”<sup>4</sup>

The language used to report sexual violence also plays an important role in the general perception of the issue. A research study found that passive voice reporting correlated with more acceptance of violence against women, as well as less willingness to attribute responsibility to the perpetrator.<sup>5</sup>

1,5 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5432646/>

2,3 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6348335/#B87>

4 <https://www.rainn.org/articles/key-terms-and-phrases>

## INTERVIEWING VICTIMS

According to the Dart Center (see “Resources”), sexual assault is a traumatic experience associated with a wide range of emotions that may manifest in a variety of ways. Such manifestations may include behavior that appears contradictory, impacted demeanor, or difficulty recalling details of the incident. Many victims also experience other long-term effects of the sexual assault. The reporter should not assume that a victim will or should present or behave in any specific manner.

**Remember this situation is about a person.** When covering sexual violence, remember that the event is not just another crime statistic; it's about a human being – someone who is a friend, a daughter or son, a mother, or a colleague to someone. It's important to tell the story from a human perspective.

**Be careful when you approach your sources – be transparent, calm and soft-spoken.** Identify who you are, what organization you represent, what will happen with the information you collect from the interview, how it might be used in the story and when it will appear in publication. Tell them why you want to talk with them. If they are not open to an interview, leave your contact information with them and ask them to contact you if they would like to talk.

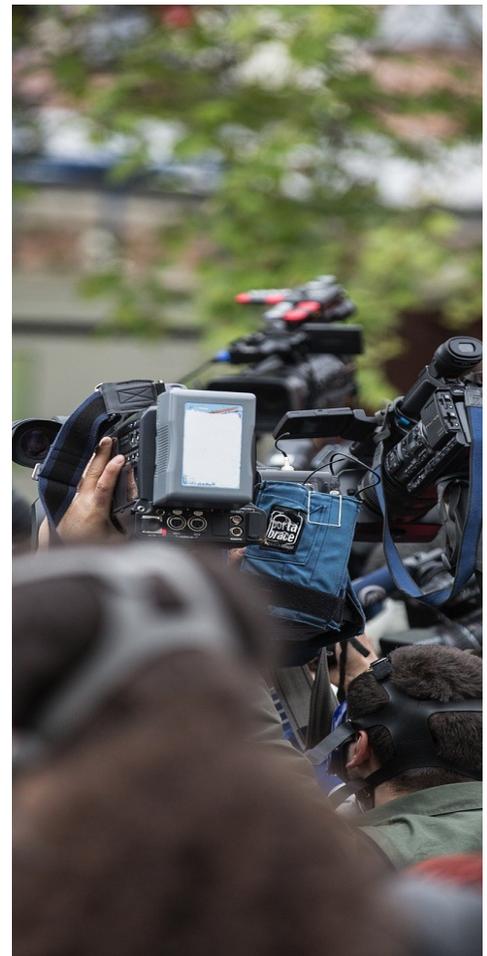
**Source identification.** Find out how your source would like to be identified. The survivor will have undergone a lot and may want privacy and anonymity. Discuss with your editor or advisor how you will handle this in your story. Survivors or those connected to survivors of sexual violence may want to keep their identities private. This should be respected.

**Let your sources have some control.** People who have undergone a traumatic situation often seek ways to regain control in their lives after they have lost control during a traumatic experience. One way to help is to provide them with an opportunity to make some decisions in the interview process – for example, where they would like to sit, what photos or images they would prefer you use, when they would like to stop or take a break, etc. These small accommodations can go a long way. Also, ask the victim what message they would like to convey to the public and what information is important to them.

**Sexual violence is associated with high degrees of self-blame, guilt, and shame.** For this reason, avoid any language that might imply that the interviewee is responsible for the sexual violence in any way. Be careful not to ask too many “why” questions.

**Listening is important.** Make sure to allow ample time for the source to tell you their story. Don't rush them. Don't press for details if they are not willing to provide them. Allow them to tell you what they feel comfortable talking about. Practice empathy.

**Corroborate information.** Be aware that accounts of what happened may not be entirely accurate as trauma can impact a person's memory. A person may forget details or misremember due to psychological effects of trauma. Be sure to corroborate your information with other sources to the extent possible.



## HAWAII SEXUAL ASSAULT RESPONSE AND TRAINING PROGRAM (HSART)

The purpose of HSART is to address the manner in which sexual assault evidence collection kits are processed and tracked, to ensure that victims of sexual assault are informed of their rights, and to strengthen and improve Hawaii's response to sexual assault.

### Members include:

Hawaii Department of the Attorney General

Honolulu Police Department

Hawaii Police Department

Maui Police Department

Kauai Police Department

Department of the Prosecuting Attorney, City and County of Honolulu

Office of the Prosecuting Attorney, Hawaii County

Department of the Prosecuting Attorney, Maui County

Office of the Prosecuting Attorney, Kauai County

Kapiolani Medical Center for Women & Children, The Sex Abuse Treatment Center

YWCA of Hawaii Island, Sexual Assault Support Services

Child and Family Service, Maui Sexual Assault Center

YWCA of Kauai, Sexual Assault Treatment Program

Hawaii CODIS Administrator

Two Sexual Assault Forensic Examiners or Sexual Assault Nurse Examiners

### Acknowledgements

The Hawaii Department of the Attorney General and HSART members acknowledge all agencies and sources cited in this guide. We encourage you to visit their websites for additional information and resources.

HSART Website:

[ag.hawaii.gov/cpia](http://ag.hawaii.gov/cpia)

## RESOURCES

For resources – go beyond the typical. By talking about resources, the media can break down the myth that sexual assault is an individual problem that should be managed solely by the victims, their family and friends, and the perpetrators. The media can thus contribute to reducing the perceptions among victims and perpetrators of being alone and unable to find help.<sup>1</sup> Contact counselors, support groups, advocacy groups, and legal experts. They can provide different perspectives on or dimensions to the situation.

- ◆ National Sexual Violence Resource Center (NSVRC) - The NSVRC serves as the nation's principal information and resource center regarding all aspects of sexual violence. <https://www.nsvrc.org/sexual-violence-reporting-tools>
- ◆ The Dart Center – Reporting on Sexual Violence – The Dart Center, a Columbia University Graduate School of Journalism project, is dedicated to informed, innovative, and ethical news reporting on violence, conflict, and tragedy. <https://dartcenter.org/topic/sexual-violence>
- ◆ RAINN Key Terms and Phrases – <https://www.rainn.org/articles/key-terms-and-phrases>

### Hawaii Resources

- ◆ Oahu: Kapiolani Medical Center for Women & Children, The Sex Abuse Treatment Center Phone: Main: 808-535-7600; Hotline number: 808-524-7273; <http://satchawaii.com/>
- ◆ Kauai: YWCA of Kauai, Sexual Assault Treatment Program Phone: Main: 808-245-5959; Hotline number: 808-245-6362; <https://ywcakauai.org/what-we-do-/domestic-violence-and-sexual-assault-services/>
- ◆ Maui: Child and Family Service, Maui Sexual Assault Center Phone: Main: 808-877-6888; Hotline number: 808-873-8624; <https://www.childandfamilyservice.org/programs/msac/>
- ◆ Hawaii Island: YWCA of Hawaii Island, Sexual Assault Support Services Phone: Main: 808-935-7141; Hotline number: 808-935-0677; <https://www.ywcahawaiiisland.org/what-we-do/sexual-assault-support-services/>

1 <https://www.inspq.qc.ca/en/sexual-assault/media/sexual-assault-and-media>

