

Marital Rape

- Researchers estimate that between 10% and 14% of married women experience rape in marriage (Finkelhor & Yllo, 1985; Russell, 1990)
- Between one third and one half of battered women are raped by their partners at least once (Bergen, 1996; Browne, 1993; Campbell, 1989)

Scope of Problem

14% of adult women in the U.S. have experienced *forcible* rape.

Risk level is related to age, ethnic and racial status, and region.

Kilpatrick & Ruggiero (2003)

Rape in Massachusetts: A Report to the Commonwealth

National Violence Against Women Prevention Research Center

Key Points of Entry for Sexual Assault Victims
...Potential LAV- Intake Partners

Rape Crisis Centers & SANE/SART Programs are key points of entry. Rape victims seek medical support within the first year post-assault (72.6%). 19.06% seek mental health treatment.

Kimerling & Calhoun (1994)

1 in 6 forcible rapes are reported to law enforcement (17%).

Kilpatrick, Edmonds & Seymour (1992)

- The traditional definition of rape in the United States most commonly was “sexual intercourse with a female not his wife without her consent” (Barshis, 1983)
- On July 5, 1993, marital rape became a crime in all 50 states, under at least one section of the sexual offense codes

Criminal Justice Outcomes for Rape Survivors*

16% of rape victims report the crime to law enforcement.

98% of sexual assault victims will never see their assailant apprehended, convicted and incarcerated.

54% of sexual assault prosecutions result in either a dismissal or an acquittal.

Approximately 1 in 10 rapes reported to the police result in time served in prison; 1 in 100 rapes (including those that are unreported) result in a sentence of more than one year in prison.

A rape prosecution is more than twice as likely as a murder prosecution to be dismissed.

*Violence Against Women: *The Response to Rape: Detours on the Road to Equal Justice*, Report Majority Staff of the United States Senate Judiciary Committee, 103 Congress, May 1993.

**For general review of this issue, see also David P. Bryden and Sonja Lengnick, *Rape in the Criminal Justice System*, 87 J. Crim. L. & Criminology 1194 (1997).

- It is problematic to assume that marital rape survivors are all battered wives because this ignores the reality that some women are raped by their husbands but do not experience other forms of violence

- In what Finkelhor and Yllo (1985) have called “force-only rape,” husbands use only the amount of force necessary to coerce their wives; battering may not be characteristic of these relationships.
- Forty percent of Finklehor and Yllo’s sample of women were victims of “force-only rape.”
- To categorize marital rape only as an extension of domestic violence excludes these women and their experiences

- It is important for advocates who are involved in trying to end domestic violence against women to see marital rape both as a form of rape and of domestic violence in order to assist survivors

- Women who are raped by their husbands are likely to be raped many times—often 20 times or more before they are able to end the violence (Bergen, 1996; Finklehor & Yllo, 1985; Russell, 1990)
- Marital rape survivors not only experience a higher number of assaults, but research indicates that they are more likely than women raped by acquaintances to experience unwanted oral and anal intercourse (Peacock, 1995)

- Compared to batterers, men who batter and rape are particularly dangerous men and are more likely to severely injure their wives and potentially escalate the violence to murder (Browne, 1987; Campbell, 1989)

- The physical effects of marital rape may include injuries to the vaginal and anal areas, lacerations, soreness, bruising, torn muscles, fatigue and vomiting (Adams, 1993; Bergen, 1996)
- One half of marital rape survivors in one sample were kicked, hit, or burned during sex (Campbell & Alford, 1989)
- Specific gynecological consequences of marital rape include vaginal stretching, miscarriages, stillbirths, bladder infections, infertility, and the potential contraction of sexually transmitted diseases including HIV (Campbell & Alford, 1989)

- Compared to women raped by strangers and those whom they don't know well, marital rape survivors report even higher rates of anger and depression (Koss, Dinero, Siebel, & Cox, 1988)

- Experts estimate that survivors of marital rape are less likely than other survivors of violence to report their assaults to formal service providers, friends, or family members (Koss et al., 1988; Mahoney & Williams, 1998)

- Women raped by their husbands may hesitate to report because of family loyalty, fear of their abuser's retribution, inability to leave the relationship, or they may not know that rape in marriage is against the law
- Many do not define their experience of forced sex in marriage as rape. Some believe that only stranger rape is "real rape;" and other women see sex in marriage as an obligation and define forced sex as a "wifely duty," not rape (Bergen, 1996)
- If they do not define their experiences as rape, women are unlikely to seek outside assistance

- Less than half of battered women's shelter programs (42%) and 79% of rape crisis centers provide training on marital rape specifically to their staff members and volunteers (Bergen, 1995)
- Although rape crisis centers and battered women's shelters routinely ask women about previous experience of sexual and physical violence, fewer than half (42%) regularly asked women about experience of marital rape

- Interviews with survivors of marital rape indicate that they have different needs than battered-only women and those raped by someone other than their partners (Bergen, 1996; Hanneke & Shields, 1985)

- Asking sensitive questions about marital rape is critical because women are unlikely to volunteer this information on their own
- Merely asking if one has “ever been raped?” is insufficient because so many marital rape survivors do not identify the sexual violence as rape
- Instead, women should be questioned about their partners “forcing them to do things sexually they are uncomfortable with,” “pressuring them to have intercourse,” “forcing them to have sex against their will” and so forth (Bergen, 1996; Hanneke, Shields, & McCall, 1986; Russell, 1990)