Sexual Assault on the Streets:
Meeting Homeless Survivors’ Most Urgent Needs

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Workshop Learning Objectives

At the end of the workshop, participants will be able to:

1. Identify various types of homelessness;
2. Name at least four ways in which sexual violence contributes to homelessness, and homelessness is a risk factor for sexual violence;
3. Identify five or more challenges homeless victims face in accessing SA services;
4. Identify at least three challenges service providers encounter in providing services to homeless victims; and
5. Recognize civil legal solutions available to homeless sexual assault survivors (especially in the housing, safety and financial stability arenas).

I. Who Are the Homeless in Your Community?

II. Who Perpetrates Sexual Assault Against the Homeless?
VICTIM VULNERABILITY

Perpetrators of sexual violence use victims’ vulnerability, accessibility and lack of credibility to select victims.

What makes individuals vulnerable (and considered less credible witnesses by the triers of fact)?

- poverty
- disability
- prior victimization
- intoxication
- history of drug use
- immigration status
- mental illness/mental health status
- age
- gender
- female veteran
- marginalized due to race/ethnicity/socioeconomic status
- criminal history
- Need for food, clothing, shelter, safety, money, etc.

Who are the perpetrators of sexual violence against the homeless?

III. Sexual Violence as a Pre-cursor to Homelessness

SEXUAL VIOLENCE IS A PRECURSOR TO HOMELESSNESS

- There is a direct and causal relationship between sexual assault and homelessness.
- Either experience potentially lays the foundation for the other.
- Research has found that up to 100% of homeless women have experienced sexual and/or domestic violence at some point in their lives (data vary with region and type of study).

National Law Center on Homelessness and Poverty
[http://www.nlchp.org/content/pubs/some-facts-on-homeless-and-dv.pdf]
CHILDHOOD SEXUAL ABUSE AS A PRECURSOR TO HOMELESSNESS

- Studies emphasize the correlation between childhood sexual abuse and homelessness among adult women.
- Of women seeking help from a rape/sexual assault crisis center, found that childhood sexual abuse was reported by 43% of the homeless participants, compared to 24.8% of the housed participants (Stemac et al., 2004).
- Homeless women identified child sexual victimization as a cause of their homelessness (Evans & Forsyth, 2004).

Explanations Offered for the Relationship between CSA and Subsequent Homelessness & Sexual Assault

- Child sexual abuse survivors may find it difficult to trust others, so they develop fewer of the sustaining and supportive relationships necessary to avoid homelessness.
- The posttraumatic stress disorder that often results from child sexual abuse can cause women to miss danger cues in their environments due to hyper-vigilance (attending to everything as a threat) or dissociation (shutting down when faced with threatening situations), resulting in risk for further victimization.
- Women who experience childhood sexual abuse have been shown to be at increased risk for developing substance abuse disorders, which put women at increased risk for both assault and homelessness.
- Childhood sexual abuse survivors in particular may have experienced caregivers acting appropriately in public and inappropriately in private, and therefore may be reluctant to trust people whose job it is to help them.

DOMESTIC VIOLENCE AS A PRECURSOR TO HOMELESSNESS

- A number of studies point to abuse—including rape—at the hands of a current or former partner, as a risk factor for homelessness.
- Half of all homeless women and children have become homeless while trying to escape abusive situations.
- Few studies documenting the impact of partner violence on women who are currently homeless.
- Threat of violence might shape women’s decision-making while homeless.
- Homeless woman may stay in a relationship with abuser because the risks associated with leaving—homelessness, poverty, violence on the streets, lack of resources for children, risk of further abuse by additional perpetrators—seem worse than the abuse.
SEXUAL ASSAULT AS A PRECURSOR TO HOMELESSNESS

Trauma of sexual assault may impact victim’s ability to:
- work (lose income)
- attend school (lose financial aid)
- pay rent (face eviction)
- feel safe at home (abandon current housing)
- pursue public benefits (lose or not obtain)
- seek help

IV. Homelessness as a Pre-cursor to Sexual Assault

HOMELNESS AS A PRECURSOR TO SEXUAL ASSAULT

- Distrustful of and distrusted by police and authority figures. Often participate in criminal behavior—loitering, stealing, drug use, prostitution=fear of reporting
- Routine Behavior Theory – homeless women regularly participate in activities that increase risk out of necessity
- Insufficient shelters for women
- Homeless shelters are located in high crime areas, sleeping outside, panhandling
- Many suffer from mental illness or substance abuse
- Limited resources to meet basic needs=Participate in Survival Sex and Prostitution
- Institutional Barriers - battered women’s shelters rarely offer beds to women who fear violence from people other than intimate partners
V. Obstacles Homeless Victims Face in Accessing Sexual Assault Services

TRAUMA
- In the first days and weeks following an assault, many victims' first priority is to ensure that they can live in safety, protect their privacy, and reclaim their former lives to the extent possible and practical. As one victim explained:
  “Right after the assault, I became a zombie. I couldn't eat, I couldn't sleep, I couldn't think, I couldn't drive a car. I couldn't hold a conversation. I shut myself inside the house, spent a lot of time in the shower, first to wash myself clean and then later to have a place to cry freely . . . I jumped every time the telephone rang.”

SOCIALIZATION
- Not understanding that what's happening IS sexual violence.
- Societal messaging that it is victim's fault; she did something wrong, she deserved it.
- Self-blame, shame, anger, guilt and frustration.
- Minimization or denial (convince herself that the assault was just a misunderstanding, that it's "no big deal," she'll soon “get over it,” and “it wasn't really rape.”)
- Futility (“why tell anyone?”; “this is the way my life is”).
- Don't know who to tell or how it would be helpful.
DELAYED DISCLOSURE

- Victims often delay disclosing that they were raped.
- Fear of retribution, disbelief, wanting the memory to go away
- Guilt, shame, and/or self-blame

- Delayed reporting is not an indication of falsehood.
- False reporting rates for rape and sexual assault are no higher than for other felony crimes; it is much more common for victims never to report the crime to the police.

- The Rape in America study (conducted in 1992 but still the most methodologically sound study on point) found that only 16% of all sexual assaults are ever reported, making sexual assault the "most underreported violent crime in America."

- **PRACTICE TIP:** Educating fact-finders about the realities of delayed reporting is vital to effective sexual assault advocacy. If they do not understand that this is a well-established and common phenomenon, many decision-makers will assume a delayed response signals a less serious or non-existent assault.

MEMORY

- SA may disrupt normal memory functioning.
- Alcohol or drug use impair memory, too.
- Drug-facilitated sexual assault (DFSA) can result in partial or total amnesia, too.
- Memory loss may be traumatic for the survivor.

- Memory fragments:
  - Impact victim credibility
  - May be traumatic for the survivor
  - Can result in heightened sense of vulnerability

VI. Challenges Service Providers Face in Providing Services to Homeless Victims
VII. Working with Community Partners to Address Homeless Survivors’ Sexual Assault-related Needs

WHO DO YOU NEED ON BOARD?

- From whom are – or could be - homeless survivors seeking / receiving services? (Who do you need to help provide holistic / wrap-around services?)
  - Housing providers
  - Legal services programs
  - Medical clinics
  - VA institutions
  - Public benefits agencies
  - *Organizations serving minors
  - Others

IDENTIFY & ADDRESS COLLABORATION CHALLENGES AT THE OUTSET

- Need key players engaged
- Recognize & accept differing missions, goals, funder requirements, values and philosophies
- Establish ground rules
- Address confidentiality protocols
- There is a difference between:
  - Referrals
  - Cooperation
  - Collaboration
VIII. Cutting Edge Legal Solutions to Address Homeless Survivors’ Most Urgent Needs

WHAT ARE THE POSSIBILITIES?

- Legal solutions can help prevent homelessness
- Legal solutions can help prevent sexual assault

Legal solutions can help prevent homelessness and Sexual Assault: What Do Victims Need?

- We’ve discussed who is most at risk for homelessness. What do those at risk need and how can we use the law to meet their needs?
- Legal Advocacy can include (but is not limited to) the following arenas:
  - Safety
  - Housing
  - Education
  - Immigration
  - Public Benefits
  - Access to medical services
  - Financial resources and recovery
THE STARTING PLACE IS VICTIM EMPOWERMENT

- Sexual assault robs victims of their dignity and control; you can help survivors reclaim them.
- Must issue spot to determine what survivors’ needs.
- Present options and discuss likely outcomes, impact and trade-offs.
- Create possibilities.
- Don’t decide for survivors.
- Survivors get to make what we may view as “bad choices.”
- The doors are always open.

INTAKE and ISSUE SPOTTING

- WHAT HAPPENED?
- WHO IS THE PERPETRATOR?
  - Landlord/Employer/Co-worker/Teacher/Fellow Student/Pimp/Partner/Dealer/Family member, etc.
- WHERE DID THE ASSAULT TAKE PLACE?
  - Apartment/Parking Lot/Abandoned Building/Work/School, etc.
- HOW IS THE ASSAULT IMPACTING THE VICTIM’S LIFE?
  - Work/School/Home/Safety/Financial/Privacy/Immigration/Health, etc.

SAFETY AND PROTECTION

- Sexual assault shatters a victim’s sense of safety. A victim may not feel physically safe for months or years after the assault.
- Perpetrator may present ongoing threat. Threats, or fear alone, may prevent survivor from seeking help or legal remedies.
- Safety planning is a process, not a one-time event.
- Identify all the possible protection order possibilities:
  - SAPO
  - Stalking
  - DV order
  - Anti-harassment
  - Agency-based
  - Criminal “no contact”
OTHER LEGAL RIGHTS

- Housing
- U.S. Federal laws
- State laws
- VAWA
- Local / Public Housing Authorities

EDUCATION

- Title IX and other federal laws

IMMIGRATION

- U visas
- T visas

ISSUES UNIQUE TO MINORS

- Minors have increased vulnerability but diminished rights
- Homelessness is major factor for PTSD among adolescents, exceeded only by living in a war zone

EDUCATION

- Title IX and other federal laws

IMMIGRATION

- U visas
- T visas

SELECTED READING MATERIALS

- Ethnic Differences in the Correlates of Mental Health Among Homeless Women, E. Austin, R. Andersen, and E. Bassuk, Women's Health Issues 18: 26–34  (2008)
- No Safe Place, Sexual Assault in the Lives of Homeless Women, L. Goodman, K. Fels & C. Glend (VARET, Sept 2006)
- Preventing Homelessness and Ensuring Housing Rights for Victims of Landlord Sexual Assault, T. Keeley (National Law Center on Homelessness and Poverty, August 2006)
IX. Questions and Wrap-Up