

Sexual Violence in Private Residences: Whose, How and Why?

By

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SAC Director

Introduction

Data from the South Carolina Incident Based Reporting System (SCIBRS) provided the initial basis of this report. SCIBRS data starts with the statewide uniform incident report. Whenever a criminal act is reported to law enforcement, the responding officer fills out an incident report. That report contains detailed information about the incident, the victim and the offender as well as any associated arrests. This information is then entered into SCIBRS, which is maintained by the South Carolina Law Enforcement Division (SLED). Among the SCIBRS information collected and maintained by SLED is a primary location code identifying the type of premise at which the offense occurred. SCIBRS has twenty-seven location codes which identify the specific type of location at which a criminal incident has been reported. The location codes most frequently associated with sexual violence offenses were those which identified private residences such as houses, apartments, condominiums and other privately owned residences. From 2005 to 2009, 73% of South Carolina's sexual violence victimizations were reported in private residences (SCDPS, 2010). While that information is important in its own right and tells us a lot about the nature of sexual violence, unfortunately, it is quite limited in that it does not provide questions to some follow up questions that naturally arise in response to this finding. For example, did these acts of sexual violence occur in the victims' homes, the offenders' homes or in some other private residence? If the violence occurred in a residence other than the victim's home, how and why did the victim come to be in that place? If the violence occurred in the victim's home, how did the offender come to be there? Aside from information that might be contained in the narrative portion of the incident report, which is not forwarded to SLED, answers to these questions were not available from SCIBRS. The purpose of this project was to address these questions and hopefully provide a better understanding of where sexual violence in private residences occurred and how the victims and offenders involved in sexual violence came to be at those places.

Methodology

A total of 3,852 victims of sexual violence were reported to SCIBRS in 2009. For the purpose of this report, a victim of sexual violence was defined as an individual who was reported to have been a victim of one of the following offenses: rape, forcible sodomy, sexual assault with an object or forcible fondling. This total included all such sexual violence victims regardless of the presence of more serious offenses as defined by the Uniform Crime Reporting hierarchy rule in which more serious offenses take precedence in crime counts. Since the automated SCIBRS dataset was limited to coded location information which did not provide the desired level of detail concerning the offense location, the intent was to conduct a census survey of incident report narratives associated with victims of sexual violence in 2009.

All South Carolina law enforcement agencies that had reported a sexual violence victim in 2009 (N = 175) were identified from the SCIBRS data set. Those agencies were initially notified of the project by mail explaining the purpose and rationale for the project and requesting their participation. Agencies were also advised that since incident report narratives often contain identifying information regarding victims, witnesses and offenders, all incident data would be de-identified and no sensitive information would be published. That notification was followed by a subsequent mail notification containing the requested incident reports by the agency's internal case number. This notification advised all agencies of the strict confidentiality protocol adopted for this project by the Office of Justice Programs' Institutional Review Board (IRB). IRB approval required that no identifying information concerning any individuals associated with the incident would be made public and that no identifying information would be collected. Access to incident report narratives was limited to designated staff and all staff with access to identifying information were required to sign a confidentiality agreement. Nonetheless, concern regarding confidentiality, particularly relating to the victims of sexual violence, was expressed by several agencies. This concern likely explains to some degree, the limited project participation. Follow up telephone contacts were made requesting copies of the narrative portion of incident reports for each sexual violence victim. Agencies agreeing to participate in the project forwarded copies of the incident report narratives for the requested cases by mail (66), by email (39) or by requesting that the information be picked up at the station (1).

A twelve item coding form (see Appendix A) was developed to collect information regarding the circumstances associated with sexual violence incidents in private residences. A team of three data abstractors reviewed each incident report, responded to each item and entered the information into a database. The first step was to determine if there was a description of sexual violence in the narrative. If no description of sexual violence was present in the narrative, the appropriate code was entered and no further information was collected. The second step was to determine if all or part of an incident of sexual violence was committed in a private residence. A private residence was defined as a house, apartment, condominium, dormitory room, rental home or an adult or child daycare facility operated in a private residence. If no part of the sexual violence incident occurred in a private residence, the appropriate code was entered and no further

information was collected. If all or part of the sexual violence incident occurred in a private residence, the incident report was reviewed to determine the relationship of the victim to the residence, the relationship of the offender to the residence and the circumstances by which both victims and offenders came to be in the location at which the sexual violence occurred. The data describing the location of the offense and the circumstances related to how the victims and offenders came to be there were coded and entered into a dataset for each victim. The resulting data provided the basis for this report.

Findings

Incident report narratives related to the 3,852 reported victims of sexual violence in 2009 were requested from 175 law enforcement agencies in South Carolina. Narratives were received from 106 law enforcement agencies representing an agency response rate of 60.6%. The narratives received represented 2,138 victims, or 55.5% of the volume of reported sexual violence in 2009. Of the 2,138 reported victims, 1,835 (85.8%) had narratives describing an episode of sexual violence. It is important to note that this finding does not call the validity or accuracy of the remainder of reports into question, it simply notes that the narrative itself did not contain a description of an act of sexual violence. The format and completeness of narrative descriptions from the incident reports varied greatly.

Of the 1,835 incident report narratives containing a description of sexual violence, 1,276 (70.4%) of the victimizations were reported to have occurred in a private residence. This finding was similar to the finding that 73% of sexual violence victimizations in 2009 occurred in private residences. Of the 1,276 victimizations identified as occurring in private residents, 1,258 (98.6%) were reported to have occurred entirely in a private residence; 18 (1.4%) occurred in one or more locations, one of which was a private residence.

Sexual Violence Victims by Location

Location	Number	Percent
Private Residence	1,276	70.4%
All	1,258	69.4%
Part	18	1.0%
Not a Private Residence	536	29.6%
Total	1,808	100.0%

Note: Twenty-seven sexual violence victimizations were reported in unknown locations or were missing location type code.

Incident reports of sexual victimizations reported to have occurred in part or entirely in private residences were reviewed and coded according to that residence's association with the victim and the offender. Four situations based on the relationship of the victim and the offender to the residence were identified. A private residence was classified as the victim's place of residence, if the victim lived there either as a permanent or temporary resident and the offender did not live there. A residence was classified as the offender's place of residence, if the offender resided there either as a temporary or permanent resident and the victim did not live there. A residence was classified as a mutual place of residence if both the victim and offender lived there either as permanent or temporary residents. A residence was classified as other if neither the victim nor the

offender lived there on any basis. The most frequently reported type of private residence at which sexual violence occurred was the victim's residence. The second most frequently reported type of residence for sexual violence incidents was a mutual residence. The third most frequently reported type of residence for sexual violence was the offender's residence. Other residences, those for which neither by the victim nor the offender was a resident, were the least frequently reported type of private residence.

Relationship of Private Residence to Sexual Violence Victims and Offenders

Residence Type	Number	Percent
Mutual Residence	358	28.1%
Offender Residence	289	22.6%
Other Residence	241	18.9%
Victim Residence	388	30.4%
Total	1,276	100.0%

The circumstances associated with how victims of sexual violence came to be in a private residence other than their own were determined by six items identifying possible reasons why the victim went to the offense location, each requiring a yes or no response. The six reasons were visiting friends, visiting family, the victim was employed to work at that residence, the victim was at the residence for a party, the victim was at the residence for a date or romantic encounter, or the victim was at the residence in order to receive day care/baby sitting services. Multiple responses were allowed per victimization. The most frequently reported reason for the victim being at the location associated with sexual violence was visiting friends, followed in order by visiting family members, receiving day care or baby sitting services, attending a party, being on a date or romantic encounter and being at the victim's place of employment.

Reasons for Victim Being at Offense Location – Offender or Other Residence

Reason for Being There	Number	Percent
Victim was at a Party	34	9.2%
Victim was on a Date	27	7.3%
Victim was Care Recipient	49	13.2%
Victim Workplace	3	0.8%
Visiting Family	84	22.7%
Visiting Friends	173	46.8%
Total	370	100.0%

Note: Only includes residences where the victim was not a resident.

There were 530 victimizations at private residences other than the victim’s residence or a mutual residence; information concerning the circumstances of how the victims came to be at the offense location was available for 395 victims. The most frequently reported way in which victims came to be at the offense location was by the victim going voluntarily. It is important to note that going voluntarily to the location by no means implies any level of consent to, or cooperation with the act of sexual violence, but simply describes how the victim came to be at the location at which the violence occurred. The victim going voluntarily followed in order, by the victim being tricked or deceived into going to the location, the victim being drugged, drunk or in some other manner being under the influence of or intoxicated by a substance and the victim being brought to the location by force.

How Victim Got to the Offense Location – Offender Residence or Other Residence

Means of Conveyance	Number	Percent
Brought by Force	27	6.8%
Drugged/Drunk/Under the Influence	36	9.1%
Trickery/Deception	43	10.9%
Went Voluntarily	289	73.2%
Total	395	100.0%

Note: Only includes residences where the victim was not a resident.

There were 629 sexual violence victimizations at locations that were not the offender’s residence or a mutual residence; information concerning the circumstances of how the offender gained entry were available for 307 sexual violence victimizations. The most frequently identified means of entry was by the offender entering with permission, followed in order by forcible entry to residence and entry via trickery or deception.

Offender Means of Entry – Victim Residence or Other Residence

Means of Entry	Number	Percent
Forcible	73	23.8%
Permission	221	72.0%
Trickery/Deception	13	4.2%
Total	307	100.0%

Note: Only includes residences where the offender was not a resident.

There were 388 sexual violence victimizations reported at the victim's residence; information concerning the offender's means of entry was available for 245 cases. The most frequently reported means of entry was by the offender entering with permission. Forcible entry by the offender into the victim's residence ranked second followed by entry via trickery or deception.

Offender Means of Entry – Victim Residence

Means of Entry	Number	Percent
Forcible	68	27.8%
Permission	166	67.8%
Trickery/Deception	11	4.5%
Total	245	100.0%

Note: Only includes residences where the victim was a resident and the offender was not a resident.

Summary

The scope of this project was deliberately narrow, designed to focus on the relationship of victims and offenders to the private residences where sexual violence was reported, how victims got there, why victims were there and how offenders got there. Despite the limited focus, there were several findings of note. Perhaps most notable was the finding that the distinction between victim and offender residences involved in sexual violence was often blurred by situations involving shared or mutual residences. Although the most frequently reported type of private residence where sexual violence was reported was the victim's residence, accounting for 30.4% of the total, a residence shared in some way by the victim and the offender was reported nearly as frequently, accounting for 28.1% of the private residences reported as sexual violence victimization sites.

The explanations of how and the reasons why victims of sexual violence went to the private residence where the offense occurred (excluding victim and mutual residences) were also worth noting. The use of force was not a major factor in how victims came to be at the offense site. Victims went to the offense site voluntarily in 73.2% of sexual violence victimizations at private residences (excluding victim and mutual residences). Substance abuse, trickery and the use of force accounted for the remainder of reasons why victims came to be at the offense site. Visiting friends or family members accounted for 69.5% of the reasons why the victim went to the offense site. Other reasons such as receiving day care/babysitting services, going to a party or going on a date accounted for the remainder of reasons why the victim went to the offense location.

Force was more often reported as a factor in sexual violence offenders gaining entry to private residences than it was in conveying victims to offense locations, but force was not the most frequently reported means of entry by offenders. Sexual violence offenders gained entry to private residences (excluding offender and mutual residences) with permission 72% of the time; forcible entry was reported 23.8% of the time. Sexual violence offenders gained entry to victim residences (excluding mutual residences) with permission 67.8% of the time and used force to enter 27.8% of the time.

These findings combined to paint a quite different picture than some might expect. Rather than being a situation where force is used to take victims to a location, or the victims' homes are invaded by force, the circumstances surrounding how sexual violence victims and offenders come to be at the offense location seem to be much more subtle. Victimization where victims and offenders shared a residence accounted for a substantial portion of sexual violence reported in private residences, rendering questions as to how the offender gained entry or why the victim was there, moot under those circumstances. In cases where the offense location was not a mutual residence, victims most often went to the site voluntarily and offenders most frequently gained entry with permission rather than through force or deception. None of these findings should be interpreted in any way to lessen the culpability of the offender or diminish the seriousness of the violence visited upon the victims. However, the findings indicate that seemingly innocuous circumstances are often associated with sexual violence in private residences.

Sources

South Carolina Department of Public Safety, Office of Justice Programs. *By Force and Without Consent: A Five Year Overview of Sexual Violence in South Carolina 2005 – 2009, 2010.*

Appendix A

1. Was some form of sexual assault and/or forcible fondling described in the narrative?

Y – Yes

N – No

IF NO – STOP

2. Did the incident occur in a private residence?

NOTE – Private residence includes houses, apartments, condominiums, dorm rooms, rental homes, daycare facilities in a private residence, etc.

E – Yes, the entire incident occurred in a private residence

P – Yes, part of the incident occurred in a private residence

N – No private residence was involved

IF NO – STOP

3. What was the victim's relationship to the residence? (check one)

P – Permanent residence

T – Temporary residence

N – Not the victim's residence

IF PERMANENT OR TEMPORARY RESIDENCE – SKIP to #11. IF NOT, CONTINUE.

4. If not the victim's residence, was the victim visiting friends?

Y – Yes

N – No

U – Unknown

5. If not the victim's residence, was the victim visiting family?

Y – Yes

N – No

U – Unknown

6. If not the victim's residence, did the victim work there?

Y – Yes

N – No

U – Unknown

7. If not the victim's residence, was the victim there for a party?

Y – Yes

N – No

U – Unknown

8. If not the victim's residence, was the victim there for a romantic encounter/date?
Y – Yes
N – No
U – Unknown
9. If not the victim's residence, was the victim there as a day care/baby sitting recipient?
Y – Yes
N – No
U – Unknown
10. If not the victim's residence, how did the victim come to be there? (check one)
V – Went voluntarily
F – Taken by force
T – Tricked, lured by deception
D – Drugged/Drunk/Under the Influence of Substance
U – Unknown
11. What was the offender's relationship to the residence? (check one)
P – Permanent residence
T – Temporary residence
N – Not the offender's residence
U – Unknown
12. If not the offender's residence, how did the offender come to be there? (check one)
F – Entered forcibly (burglary, home invasion, etc.)
T – Entered by trickery or deception
P – Entered with permission of victim or other resident, invited in for legitimate purpose
U – Unknown