

Testimony of Susan B. Anthony Project  
**IN SUPPORT OF SB 247 AN ACT CONCERNING THE SEXUAL ASSAULT OF  
PERSONS WHOSE ABILITY TO COMMUNICATE LACK OF CONSENT IS  
SUBSTANTIALLY IMPAIRED**

Mary DeLucia, Sexual Assault Adult Advocate  
Judiciary Committee, March 12, 2012

Senator Coleman, Representative Fox, and distinguished members of the Judiciary Committee, my name is Mary DeLucia and I am the sexual assault adult advocate at Susan B. Anthony Project. Susan B. Anthony Project is a crisis counseling and advocacy center for survivors of sexual assault and domestic violence for the Litchfield county area. I am writing in support of SB 247 AN ACT CONCERNING THE SEXUAL ASSAULT OF PERSONS WHOSE ABILITY TO COMMUNICATE LACK OF CONSENT IS SUBSTANTIALLY IMPAIRED.

I started my job as an advocate for Susan B. Anthony Project in March 2009, and I have had both clients with and without disabilities and the majority - if not all - of them did not fight their attacker. Sexual assault is a crime of power and control; it is not about sex at all, but about forcing or coercing someone to give up their power over their own body. If a victim is being raped and they try to combat against their attacker, will the attacker just back off or overpower their victim's struggles? Most often the case, if a victim tries to fight back the victim will be overpowered by their attacker and may even end up with worse injuries. A sexual assault offender wants control over the victim regardless of fighting back or not. In many cases it may actually be safer for the victim to refrain from fighting their attacker. The majority of victims of sexual violence know their assailants. 73% of adult survivors of sexual assault knew their attacker, 38% were friends with their attacker, 28% were intimate partners with their attacker, and 7% were a relative of their attacker.<sup>1</sup> Stranger rape is intimidating enough, but to actually know and have trusted the person assaulting you is terrifying! Not only does the assailant use threats or physical injury to rape their victim, but they know everything personal about their victim too. By saying it is not sexual assault if the victim does not fight back is blaming the victim for the sexual assault. SEXUAL ASSAULT IS NEVER THE VICTIM'S FAULT. It is unacceptable to allow the offender to be vindicated with this heinous crime simply by saying it was a consensual act because the victim did not try to get away.

There are numerous reasons why a victim's ability to give consent can be impaired. One is being too intoxicated; it is common for sexual assault offenders to use alcohol to incapacitate their victims because while heavily intoxicated they are more likely to be coerced into the sexual assault. Offenders may also use Rohypnol and Gamma-hydroxybutyric acid (GHB) to mix in their offenders drinks because they only stay in the blood system for only hours, and are tasteless and odorless so they keep the drinks looking normal. These drugs and drugs like them make the victim black out and not know

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<sup>1</sup> "What is Sexual Violence". National Sexual Violence Resource Center. 2010.

[http://www.nsvrc.org/sites/default/files/Publications\\_NSVRC\\_Factsheet\\_What-is-sexual-violence\\_1.pdf](http://www.nsvrc.org/sites/default/files/Publications_NSVRC_Factsheet_What-is-sexual-violence_1.pdf)

what is going on around them, making them a very easy target for the sexual assault offender. Whether the assailant uses alcohol or drugs, the victim is not necessarily unconscious, but may still be awake in an incapacitated state where they will not remember or even be fully aware of what they are doing.

To conclude, I strongly urge the committee to support SB 247. Because of the nature of sexual assault being a crime where the offender needs to take their victim's power and control away from them, all victims are "physically helpless" in that they are afraid to fight their attacker. With that said, it is also common for the offender to use various methods mentioned above on the victim to incapacitate them and make them more susceptible to the sexual abuse. A lot of known offenders of victims will even sexually assault them while they are sleeping so they are physically trapped when they wake up to being raped. By passing this bill we can help stop the victim blaming in this terrible crime of sexual assault and empower victims to have the strength to come forward and report the crime. Right now it is a fact that rape is the least reported and convicted crime in the United States, and a main reason for not reporting is their concern that they will not be believed because they knew their attacker and they were too afraid to fight back.<sup>1</sup> We need to acknowledge that victims of sexual violence do what they need to do in order to survive the assault. They are survivors who have overcome a "physically helpless" situation.

Thank you for taking the time to read this.

Mary DeLucia  
mdelucia@sbaproject.org