

## Economic Empowerment Spotlight

### Table of Contents

#### The Financial Cost of Rape: New Findings

Page 1-2

#### Crime Victims' Rights in the Justice System

Page 3

#### Policy Update

Page 4

#### Highlighting Program and Policy Innovations

Page 5

#### About Us

Page 5

### The Financial Cost of Rape: New Findings

Sexual violence continues to be an epidemic in the United States: [one in five women](#) (19.3 percent) and 1.7 percent of men have been raped in their lifetime, and approximately 43.9 percent of women, and 23.4 percent of men will experience other forms of sexual violence. The effects of sexual victimization on survivors are significant and long-lasting. Physical and psychological trauma can diminish quality of life, and survivors incur significant economic costs in the immediate aftermath of an assault and across their lifespan. Direct costs may include short and long-term physical or mental health care, damaged property, and fees associated with the justice system. Sexual violence can also lead to long-term mental health issues, such as Post-Traumatic Stress Disorder, depression or anxiety, and risky coping behaviors, such as smoking, drug or alcohol use, or unsafe sex. These consequences of the violence can make it difficult for survivors to complete their education and maintain employment.

While several studies have examined the economic impact of rape on victims and society, including through health care costs, productivity losses, and justice system costs, much of this research is dated. Two new studies

explored the financial cost of rape to survivors. The first study, "The Monetary Cost of Sexual Assault to Privately Insured U.S. Women in 2013," (Tennessee et al. 2017) calculated victims' out-of-pocket health costs within the first 30 days following initial treatment. The second study, "Lifetime Economic Burden of Rape Among U.S. Adults," (Peterson et al., 2017) estimated health care utilization, lost productivity, and criminal justice costs incurred by rape victims.

### Out-of-Pocket Health Costs

To determine the out-of-pocket costs associated with the treatment of sexual assault, the authors reviewed payment data from the Truven Analytics Health MarketScan database, associated with 1,355 female rape patients in the United States seeking medical attention in 2013. Of the 1,355 patients, 32 were admitted as inpatients, and paid an average of \$788 for their stay. Those who were treated as outpatients paid an average of \$316 for related care. Patients also incurred an average of \$56 in prescription drug costs for antibiotics, HIV prevention, pain medication, anxiety medication, and emergency contraception. In total, the authors found **the average medical cost of rape within the first 30 days following treatment to be \$6,737 – 14 percent (\$948) of which was paid by the victim** (Tennessee et al. 2017).

## Referenced Studies:

Corso, P, J Mercy, T Simon, E Finkelstein, and T Miller. 2007. "Medical Costs and Productivity Losses Due to Interpersonal and Self-Directed Violence in the United States." *American Journal of Preventive Medicine* 32 (6): 474–482.e2.

DeLisi, Matt, Anna Kosloski, Molly Sween, Emily Hachmeister, Matt Moore, and Alan Drury. 2010. "Murder by Numbers: Monetary Costs Imposed by a Sample of Homicide Offenders." *Journal of Forensic Psychiatry & Psychology* 21 (4): 501–13.

McCollister, Kathryn E., Michael T. French, and Hai Fang. 2010. "The Cost of Crime to Society: New Crime-Specific Estimates for Policy and Program Evaluation." *Drug and Alcohol Dependence* 108 (1–2): 98–109.

National Center for Injury Prevention and Control. *Costs of Intimate Partner Violence Against Women in the United States*. Atlanta (GA): Centers for Disease Control and Prevention; 2003.

Peterson, Cora, Sarah DeGue, Curtis Florence, and Colby Lokey. 2017. "Lifetime Economic Burden of Rape Among U.S. Adults." *American Journal of Preventive Medicine*, Jun; 52 (6): 691-701.

Tennessee, Ashley, Tamala Bradham, Brandi White, and Kit Simpson. 2017. "The Monetary Cost of Sexual Assault to Privately Insured US Women in 2013." *American Journal of Public Health* 107, no. 6 (June 1, 2017): 983-988.

In a previous study using data from the 1996 National Violence Against Women Survey and Medical Expenditure Panel Survey, researchers estimated that the mean cost of medical care for intimate partner rape victims who sustained injuries during their most recent victimization and received treatment was \$2,084, or \$3,191 in 2013 dollars, with victims paying 29.2 percent of the costs. Of those receiving mental health services, the mean cost was \$978 (\$1,497 in 2013 dollars), with victims paying 33.6 percent out-of-pocket (National Center for Injury Prevention and Control 2003). The combined out-of-pocket medical and mental health costs to victims was \$1,435 in 2013 dollars.

### Lifetime Costs

A recent study estimated the lifetime cost of rape per victim with new analysis of the 2011 National Intimate Partner and Sexual Violence Survey (NISVS) in combination with administrative data from government and non-government agencies including the U.S. Department of Justice, emergency room departments, the International Federation of Health Plans, Substance Abuse and Mental Health Services Administration, and Web-based Injury Statistics Query and Reporting System. The authors calculated total physical and mental health costs, productivity losses resulting from fewer hours worked or maintaining the household, criminal justice costs, and other costs such as property loss. They estimated that **the average lifetime cost of rape is \$122,461 per victim, with an economic burden for the population of close to \$3.1 trillion over victims' lifetimes**, based on data indicating that an estimated 23 million U.S. women and

two million men will experience rape (Peterson et al. 2017).

Other researchers have also examined the cost of rape. Analysis of the monetary costs of crimes committed by homicide offenders in eight states found that the average cost to society per rape was \$448,532, including criminal justice costs, cost of incarceration, time served, and lost productivity. The average lifetime victim costs were estimated to be \$138,310 in 2008 dollars (DeLisi et al. 2010). Another study also measured costs to both victim and society by combining victim injury data, medical costs data, and jury awards. Using data from the 2006 National Crime Victimization Survey, medical unit costs from Corso et al., and Jury Verdict Research the authors estimated the total societal cost per rape was \$240,776 in 2008 dollars (McCollister, French, and Fang 2010).

### Financial Recovery is Unlikely

Obtaining assistance through Crime Victims Compensation (CVC) and restitution can be challenging for rape survivors. Many of the eligibility requirements for CVC, such as reporting to police and cooperating with investigations, require survivors to engage in a system they may want to avoid. Approximately [60 percent of victims do not report](#) to the police, for reasons such as fear of retaliation, or of not being helped. According to the National Association of Crime Victim Compensation Boards, [eight percent of CVC funds go to victims of sexual assault](#). Even when victims do pursue criminal justice, restitution is often an unlikely prospect for them because of low conviction rates – [less than one percent of perpetrators receive a felony conviction](#).

## Upholding Crime Victims' Rights

It is critical that victims' rights that bolster their access to the justice system, provide relief, and protect their economic security be enforced.

Victims only have "legal standing" to assert their rights if given by statute or court ruling.

Prosecutors or other officials have the authority to seek court enforcement. Some states have an established position, committee, or board that hears, investigates, and attempts to resolve complaints.

## Crime Victims' Rights in the Justice System

Every state, the District of Columbia, and most territories ensure certain [basic legal rights for crime victims](#), and nearly two-thirds of states have adopted constitutional amendments guaranteeing rights to victims. In addition, the [Crime Victims' Rights Act](#), of the Justice for All Act of 2004 established victim rights in federal criminal cases and enforcement mechanisms. These rights influence how victims engage with, and are treated by the criminal justice system, which contributes to their overall safety and sense of justice. Some states have also outlined rights specifically for victims of domestic and sexual violence, stalking, and trafficking. In addition to addressing fairness and safety, many of these rights directly or indirectly affect the protection or restoration of victim's economic security.

**Right to Restitution/Compensation:** Perhaps the most clearly connected to economic security, victims in every jurisdiction have the right to recover costs associated with the crime, whether through court-ordered [restitution](#) payments by the offender, or victim-sought reimbursement through state [Crime Victims Compensation](#) programs.

**Right to be Heard:** Victims can speak during criminal justice proceedings, such as the sentencing hearing, and submit a victim impact statement regarding the effect of the crime on the victim, economic and otherwise, which helps the court protect the victim's economic needs and provide economic relief to restore economic security.

**Right to be Informed:** Victims need to be informed of the proceedings against the perpetrator so they know what economic conditions related to release, sentencing, and/or parole are in effect, whether to engage in economic-related safety planning, and whether to seek relief or protection in the civil system. Events may include bail and pretrial release, pleas, hearing dates and sentencing, relief proceedings, and probation/parole conditions.

**Right to Privacy:** Protecting the victim's contact information and place of employment or school from court documents and compensation records reduces opportunities for the perpetrator to find and stalk victims. Many states have [Address Confidentiality Programs](#) that victims can use for court or financial communications.

**Right to Protection:** Protection from the offender during the criminal justice process can take the form of police escorts to/from court or private/secure waiting areas, which reduce costly retaliation and economic-based witness intimidation. It can also include residence relocation, which is directly connected to economic security.

**Right to a Speedy Trial:** Many jurisdictions ensure the "disposition of the case free from unreasonable delay," which often means limiting continuances that can cost the victim severely in terms of time off work, transportation, and child care.

**Right to Return of Property:** Every state has procedures to return any property of the victim's that was stolen or seized as evidence in the criminal proceedings. Generally, it can be returned when it is no longer needed in a criminal case. Some states have imposed time requirements and others have authorized a photograph of the item to be used as evidence if possible. This relieves the victim of the burden of going without or paying to replace property, especially when needed for work, school, housing, or health care.

## Recent Federally Funded Research

The Bureau of Justice Statistics and the Office of Justice Programs' National Criminal Justice Reference Service have recently released several reports related to domestic violence and the justice system.

- [Criminal Protective Orders As A Critical Strategy To Reduce Domestic Violence, Final Summary Overview](#)
- [Predicting Intimate Partner Violence for At-Risk Young Adults and Their Romantic Partners](#)
- [State Laws Related to Family Judges' and Custody Evaluators' Recommendations in Cases of Intimate Partner Violence: Final Summary Overview](#)
- [Police Response to Domestic Violence, 2006-2015](#)

## Policy Update

### Federal Policy Update

On May 16, the House and Senate both approved the Rapid DNA Act ([H.R.510](#) and [S.139](#)), which requires the FBI to issue standards around using Rapid DNA instruments and including in CODIS to reduce crime and the current DNA backlog.

On May 22, the US House of Representatives passed the [TARGET Act, which recognizes the value of and encourages rewards as a part of programs targeting human traffickers](#) and the reauthorization of the [Frederick Douglass Trafficking Victims Prevention Act](#).

The House also passed, on May 23, H.R.2473, the [Ensuring Justice for Victims of Trafficking Act](#), which would support jurisdictions' ability to investigate, prosecute, prevent, and provide services for human trafficking.

On May 25, 2017, the US House passed the [Protecting Young Victims from Sexual Abuse Act](#), which requires reporting of sexual abuse at U.S. Olympic Committee facilities. The Senate Judiciary Committee approved version [S.534](#) on May 11.

### State Policy Update

**Arkansas:** On March 28, [H.B.1808](#) became law as Act 664, creating the offense of sexual extortion, which requires registration as a sex offender and could be disqualifying for certain employment or licensure.

**Indiana:** On April 27, the Governor signed into creation [Public Law 221](#), which allows victims with a civil protection order to carry a handgun without a license within 60 days of issuance and to experience expedited processing of their license application.

**Louisiana:** The House approved [H.B.223](#) on May 11 to amend domestic violence code to include dating partners, create the crimes of battery of a dating partner and aggravated assault upon a dating partner, and to prohibit the possession of a firearm by persons convicted of certain offenses of battery of a dating partner.

**New Hampshire:** Legislators have passed [S.B.9](#) to clarify that the rape shield law protects victims' sexual activity, including prior acts, thoughts, and expressions, from becoming relevant and used as evidence in a case.

**Oklahoma:** On May 15, the Governor approved a bill authorizing counties to create and maintain [specialized domestic violence courts](#), effective November 1, 2017.

**Utah:** On March 25, the Governor signed the [Cyber Exploitation Amendments](#) bill into law, amending criminal sexual offense statutes to define and state criminal penalties for the crimes of sexual extortion and aggravated sexual extortion.

**Washington:** On May 10, the Governor signed [H.B.1501](#), which closes a loophole in gun legislation and requires gun dealers to notify the sheriffs' and police chiefs' association of a failed background check due to criminal record or protective orders in place. Law enforcement would then notify domestic violence victims.

**Washington, DC:** The Council is considering the [Sexual Assault Victims' Rights Amendment Act of 2017](#), which expands the rights of victims to an advocate and clarifies their rights when receiving emergency care, to compensation under insurance, and the duties of the SART team. It also creates a new prohibition on the removal of a person's clothing without consent.

The Economic Security for Survivors Project is a project of the Institute for Women's Policy Research. The ESS Project seeks to build, protect, and restore the economic security of survivors of intimate partner violence, sexual assault, and stalking so that they may be safe and free of abuse. We provide community and justice system professionals with strategies, tools, and training to improve how policies and programs respond to the economic consequences of abuse and survivors' economic security.

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## Highlighting Program and Policy Innovations: National Crime Victim Law Institute

To assist crime victim attorneys and victims, the [National Crime Victim Law Institute](http://www.ncvli.org) (NCVLI) was established in 1997 as a national resource center for victims' rights enforcement efforts. Located in Portland, Oregon at Lewis & Clark Law School, NCVLI works to ensure that crime victims are apprised of their rights and can locate and access the necessary resources to assert them. NCVLI aims to promote balance and fairness in the justice system through legal advocacy, training and education, and public policy.



**Legal Advocacy:** With the goal of improving victims' participation and outcomes in the criminal justice system, the institute participates in cases across the country by providing courts with insight on the short and long-term impacts their decisions have on victims. In addition, NCVLI offers legal [technical assistance](#) to attorneys and connects victims with free attorneys through the [National Alliance of Victims' Rights Attorneys and Advocates](#) and network of legal clinics.

**Training and Education:** NCVLI provides [training](#) to attorneys, judges, advocates, law enforcement, law students, and victims on wide range of issues related to victim rights and how to exercise them. One of its many [Know Your Rights Quicktools](#) focuses on economic recovery. Recouping Financial Losses highlights three common mechanisms to address the economic impact of crime, Crime Victims Compensation, restitution, and civil suits.

**Public Policy:** NCVLI also provides model legislation, strategic advice, and expert testimony to help improve, advance, and protect victims' rights legislation. The institute publishes [position papers](#), Victims' Rights Report Cards, and works to raise awareness about victims' rights through media engagement efforts.

To learn more, visit the National Crime Victim Law Institute online at [http://law.lclark.edu/centers/national\\_crime\\_victim\\_law\\_institute/](http://law.lclark.edu/centers/national_crime_victim_law_institute/)

### New IWPR and ESS Project Resources:

Factsheet: [The Economic Impact of Equal Pay by State](#)

Quick Figure: [Job Growth Slows in March and Most Gains Go to Men: Unemployment Declined for Most Groups](#)

New ESS Project Webinar Recording Available! [Integrating Asset Building Strategies into Programs for Survivors](#)