



**The Sexual Battery Victims' Access to Services Act
Rape Crisis Program Trust Fund - Rape Crisis Services in Florida**

**Report Issued by the Division of Family Health Services
Sexual Violence Prevention Program**

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**Report to the Florida Legislature:
The Sexual Battery Victims' Access to Services Act,
The Rape Crisis Program Trust Fund, and
Rape Crisis Services in Florida**

EXECUTIVE SUMMARY

The Department of Health, Sexual Violence Prevention Program (SVPP) is honored to provide the Florida Legislature the 2009-2010 Rape Crisis Program Trust Fund legislative report, as mandated by section 794.055, *Florida Statutes*. In 2003, the Florida Legislature created "The Sexual Battery Victims' Access to Services Act" and the Rape Crisis Program Trust Fund (RCPTF) within the Department of Health. The Act created a funding system for distribution of monies generated by a \$151 surcharge assessed on offenders convicted of sexual battery and other offenses, including many of the aggravated battery and other battery offenses. While the clerk of the court retains \$1 of the surcharge as a service fee, \$150 goes to the Rape Crisis Program Trust Fund. This Act also requires the department to contract with a statewide, nonprofit association to distribute these funds for the provision of sexual battery recovery services. The department contracts with the Florida Council Against Sexual Violence, Inc. (FCASV), a statewide nonprofit organization committed to victims and survivors of sexual violence and the rape crisis centers who serve them. FCASV subcontracts with rape crisis centers throughout the state to serve victims and enhance services.

From September 2003 to June 2010, county clerks deposited \$8,899,782 into the trust fund. In 2009-2010, Florida Council Against Sexual Violence received \$392,239 to provide statewide initiatives in support of victims, while 30 certified rape crisis centers received \$1,568,957 that served 9,841 new primary and secondary victims and 31,173 victims who were first seen prior to July 2009, but continued to receive services. These victims received 128,145 sexual battery recovery services.

THE SCOPE AND IMPACT OF SEXUAL VIOLENCE

In 2009, the Florida Department of Law Enforcement reported 10,227 forcible sex offenses and 2,877 arrests. According to national researchers, approximately one out of every nine adult women in Florida has been the victim of forcible rape, which equates to over 700,000 women in Florida (Ruggiero and Kilpatrick, 2003). Many victims fear disgrace if they tell family and friends about the abuse, and suffer alone (Jewkes, Sen, and Garcia-Moreno, 2002).

Victims of sexual assault who do not receive recovery services face serious risks to their health and well-being:

- Adverse childhood experiences (ACEs), including child sexual abuse, can lead to poor job performance and work absenteeism in adulthood (Anda et al., 2004)
- Recent research has found that rape survivors who had the assistance of an advocate were significantly more likely to have police reports taken and were less likely to be treated negatively by police officers. These women also reported that they experienced less distress after their contact with the legal system (Rebecca Campbell, 2006).
- Sixty-one percent of homeless girls and 16% of homeless boys report sexual abuse as the reason for leaving home (Estes & Weiner, 2001).

Sexual assault hurts the state's economy, and the economic impact worsens if victims do not receive the services they need to regain their stability:

- Almost half of all working women have experienced some form of sexual harassment on the job. Sexual harassment can have a serious negative affect on women's physical and emotional health, and the more severe the harassment, the more severe the reaction (National Women's Law Center, 2009).
- Approximately 500,000 women work in U.S. fields picking crops or packing fruits and vegetables, many of whom are sexually harassed and assaulted by their male supervisors who control whether they get or keep their jobs (Clarren, 2005).
- Sexual assault victims earn \$6,000 less in annual income than non-victims (MacMillan, 2001).
- Lifetime income loss, due to sexual violence in adolescence, is estimated at \$241,600 (MacMillan, 2001).

THE RESPONSE TO SEXUAL VIOLENCE: RAPE CRISIS SERVICES

During the 2009-2010 fiscal year, the Department of Health contracted with the FCASV to subcontract \$1,568,957 to 30 certified rape crisis centers for the provision of services to primary and secondary victims of sexual battery. Below are examples of services provided by the certified rape crisis centers.

Rape Crisis Center in Central Florida:

A sex crimes detective contacted the Rape Crisis Center (RCC) requesting an advocate assist a victim of child sexual abuse. "Laura" (not her real name), the victim, 17 years old and soon to be 18, was adamant that she did not want anyone's help, including the help of her parents. An adult male had coerced and manipulated her into sex. "Laura" suffered from other past abuse and a host of mental and emotional instabilities.

When the RCC reached out to "Laura", she was very suspicious, guarded and embarrassed. She was a senior in high school, about to graduate and overwhelmed by the fear of her parents finding out about the abuse. With her grades rapidly dropping and scholarship in jeopardy, she considered running away. Prior to the initial in-person meeting, the advocate spoke at length with "Laura", reassuring her of her rights, that her feelings about the abuse were normal and that she would not have to face decisions alone. After a suicide assessment and exploring reasons to live, "Laura" focused on her long-term goal to graduate from high school and attend college.

"Laura" signed a contract affirming her desire to live, sought additional support from her parents, the sex crimes detective and explored other support systems. With approval from "Laura", the advocate was able to educate her parents as secondary victims of the crime against their daughter. The advocate provided wrap-around counseling that would address the client's mental and emotional health; as well as involve the family, when appropriate.

After several hearings and interviews, the perpetrator took a plea bargain that prevented him from ever holding a job that has an authoritative role, and is labeled as a child predator. "Laura", proud of her newfound resilience, went on to graduate from high school and now attends a university, with the assistance of an academic scholarship.

When faced with housing obstacles during her new endeavor, “Laura” called her RCC advocate to create a new list of goals, helping herself to manage the stress. “Laura” is doing well at the new university, is receiving counseling in her new town through a referral from the RCC, and is working hard to have a better relationship with her parents.

Rape Crisis Center in Southeast Florida:

“Cristina” (not her real name) is a 23 year-old, Hispanic female who was sexually assaulted and held hostage by a male acquaintance. After her release, she hesitantly and fearfully contacted law enforcement to report the assault. She was transported to the Rape Crisis Center (RCC) where she received a forensic medical exam, crisis intervention and advocacy. “Cristina” participated in counseling sessions specializing in sexual violence for a little over a year. She had depression, flashbacks, nightmares, difficulty sleeping and changes in her eating patterns. During her time in counseling, “Cristina” processed her thoughts and feelings related to the trauma and how the assault affected her life. Her counselor also facilitated translation services due to a language barrier. In addition, the RCC assisted and advocated for “Cristina” during her dealings with her immigration lawyer. “Cristina” successfully completed counseling at the RCC with reduced symptoms of Post Traumatic Stress Disorder (PTSD) and was better able to implement positive coping skills to assist in relieving her responses to the sexual assault. During her termination session she shared, “I don’t know what I would have done without help from the RCC”.

Rape Crisis Center in Southwest Florida:

“Julie” (not her real name) was sexually abused by her male dance teacher at a respected community theater in her hometown. The perpetrator began getting very close to other female students - targeting girls who lacked a male figure at home or came from dysfunctional households. He gained their trust, became their best friend and then sexually violated them. When “Julie” came to the Rape Crisis Center (RCC) at age 15, she was numb, in shock, angry, hopeless, helpless and embarrassed. She dropped out of school. She had been injuring herself and engaging in other unhealthy coping mechanisms for two years. Her mother, her only family, wasn’t supportive of her and on many occasions accused her of making the story up “just for attention”.

The RCC provided “Julie” crisis intervention, counseling and advocacy services. The advocate encouraged the local state attorney to hear her case after it had been closed in the neighboring county for lack of evidence. “Julie” has learned healthy coping tools to deal with her emotions and has faith that someday she will be helping those who are not yet strong enough to face the offender in a courtroom. Fortunately, the perpetrator was convicted.

SEXUAL BATTERY SERVICES

In 2009-2010, 41,014 victims received the following sexual battery recovery services:

<u>Type of Service</u>	<u>Number of Services</u>
Advocacy and Accompaniment	38,644
Crisis Intervention	27,642
Hotline calls	13,189
Information and Referrals	30,097
Forensic Exams	2,465
Support Group	2,783
Therapy	<u>13,325</u>
Total	128,145

RCPTF ALLOCATIONS BY PROGRAM
7/1/09-6/30/10

Provider	Counties Served	Total Award
Abuse Counseling and Treatment Center (Ft. Myers)	Lee, Hendry, Glades	\$ 61,054
Alachua County Rape Crisis Center (Gainesville)	Alachua, Bradford, Union	\$ 50,828
Another Way, Inc. (Bronson)	Levy, Gilchrist, Dixie, Hamilton, Lafayette, Suwannee, Columbia	\$ 103,616
Bridgeway Center, Inc. (Ft. Walton Beach)	Okaloosa	\$ 20,472
Broward County Sexual Assault Treatment Center (Ft. Lauderdale)	Broward	\$ 89,441
Center for Abuse and Rape Emergencies (Punta Gorda)	Charlotte	\$ 18,765
Children's Advocacy Center Sexual Assault Response Team (Daytona Beach)	Volusia, Flagler	\$ 47,808
Creative Services, Inc. (Ocala)	Marion	\$ 25,110
Crisis Center of Tampa Bay (Tampa)	Hillsborough	\$ 58,961
The Dawn Center (Spring Hill)	Hernando	\$ 17,625
Family Service Centers, Inc. (Clearwater)	Pinellas	\$ 54,792
Haven of Lake and Sumter Counties (Leesburg)	Lake, Sumter	\$ 54,404
Lakeview Center, Inc. (Pensacola)	Escambia, Santa Rosa	\$ 43,174
Manatee Glens Rape Crisis Services (Bradenton)	Manatee	\$ 23,747
M.U.J.E.R., Inc. (Homestead)	South Miami-Dade	\$ 35,619
Palm Beach County Victim Services (West Palm Beach)	Palm Beach	\$ 68,692
Peace River Center for Personal Development, Inc. (Lakeland)	Hardee, Highlands, Polk	\$ 67,485
Project HELP, Inc. (Naples)	Collier	\$ 25,701
Putnam County Health Department (Palatka)	Putnam	\$ 18,079
Quigley House, Inc. (Orange Park)	Clay	\$ 18,416

Refuge House, Inc. (Tallahassee)	Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla	\$ 123,089
Roxcy Bolton Rape Treatment Center (Miami-Dade)	Miami-Dade	\$ 86,038
Safe Place and Rape Crisis Center (Sarasota)	DeSoto, Sarasota	\$ 41,258
Safety Shelter of St. Johns County, Inc. d/b/a Betty Griffin House (St. Augustine)	St. Johns	\$ 17,881
Salvation Army Rape Crisis Program (Panama City)	Bay, Calhoun, Gulf, Holmes, Jackson, Washington	\$ 91,769
Sexual Assault Assistance Program 19th Circuit (Ft. Pierce)	Indian River, Martin, Okeechobee, St. Lucie	\$ 67,984
Sexual Assault Victim Services (Viera)	Brevard, Seminole	\$ 60,371
Sunrise of Pasco County, Inc. (Dade City)	Pasco	\$ 27,394
Victim Service Center of Orange County (Orlando)	Orange	\$ 53,905
Women's Center of Jacksonville (Jacksonville)	Baker, Duval, Nassau	\$ 78,864
TOTAL		\$ 1,568,957

IMPROVING RAPE CRISIS PROGRAM TRUST FUND COLLECTIONS

The economic downturn has had a significant negative impact on collections into the RCPTF. Despite efforts to educate court personnel, state attorneys and judges about the mandatory surcharges, collections in July 2009 were down more than \$21,000 over July 2008 collections.

FCASV put forward a legislative proposal during the 2010 session to enhance the RCPTF by adding several crimes related to sexual violence that will impose the mandatory surcharge. While this proposal did not pass in 2010, FCASV plans to prioritize this legislation again during the 2011 session recommending that the mandatory RCPTF surcharge be applied to the following offenses:

- Luring or enticing a child
- Human trafficking
- Human smuggling
- Unlawful activity with certain minors
- Female genital mutilation
- Procuring a person under age 18 for prostitution
- Selling or buying minors into sex trafficking or prostitution
- Forcing, compelling, or coercing another to become a prostitute
- Sex trafficking
- Deriving support from proceeds of prostitution
- Renting space to be used for lewdness, assignation, or prostitution

- General prostitution offenses excluding engaging in prostitution
- Exposure of sexual organs
- Voyeurism
- Video voyeurism
- Home-invasion robbery
- Home or private business invasion by false personation
- Abuse/neglect of elderly or disabled person
- Lewd or lascivious offenses on or in presence of elderly or disabled person
- Written threats to kill or bodily injury
- Computer pornography
- Transmission of pornography by electronic device
- Selling or buying of minors,
- Sexual offender registry requirements

FCASV sent letters to state attorneys in low-performing circuits requesting that the surcharge assessment be part of standard orders for all applicable offenses, in order to increase collections for the RCPTF. FCASV is also producing a bench book for judges that will include an education section on the mandatory RCPTF surcharges.

While increasing collections in the trust fund is an important goal, in order to ensure that services are available to all victims of sexual violence in the state of Florida, additional recurring funding sources are needed.

OTHER FUNDING SOURCES FOR RAPE CRISIS CENTERS

Victims of Crime Act (Federal): The Victims of Crime Act (VOCA), passed in 1986, is funded from the United States Department of Justice through the Office of the Attorney General of Florida. This program provides funding for direct services to most of Florida's rape crisis programs.

Violence Against Women Act (Federal): The Violence Against Women and Department of Justice Reauthorization Act (VAWA), has improved the systemic response to sexual violence victims by funding intervention services.

Injury Prevention and Control Research and State and Community Based Programs (Federal): The Rape Prevention Education Program provides funding from the Centers for Disease Control and Prevention (CDC) through the Florida Department of Health, Sexual Violence Prevention Program (SVPP). This source supports many of Florida's rape crisis hotlines and primary rape prevention education.

Preventive Health and Health Services Block Grant (Federal): The Florida Department of Health's SVPP funds nine rape crisis centers to provide victim services through the Preventive Health and Health Services Block Grant.

SERVICE STANDARDS AND CERTIFICATION OF RAPE CRISIS CENTERS

FCASV is responsible for service standards and the certification process for Florida's rape crisis centers. Service standards and certification are based on the following:

- A broad array of high quality, sexual violence services must exist in every community.

- Victims are best served through sexual violence services provided in the context of a coordinated, collaborative, and multidisciplinary approach including medical/forensic providers, advocates, criminal justice professionals, and social service providers.
- All service providers must have victim empowerment as the cornerstone of service delivery.

In December of 2007, FCASV updated and printed the *Certification Standards* manual, which describes rape crisis center eligibility and certification requirements. The manual was distributed to rape crisis centers and programs interested in becoming certified.

In January of 2008, FCASV initiated on-site certification monitoring of currently certified and applicant programs. All certified rape crisis centers are reviewed by an independent agency every other year to ensure compliance with the *Certification Standards*. It is critical that centers continue to demonstrate their ability to effectively operate and provide quality services to primary and secondary victims of sexual assault.

CONCLUSION

Each victim of sexual violence has suffered terrible trauma. The RCPTF funding helps to ensure that sexual violence victims have access to basic services including 24/7 hotlines, crisis intervention, advocacy, counseling services, therapy, medical/forensic intervention, service coordination, and community awareness. Victim advocates in rape crisis centers throughout the state diligently work to provide professional, compassionate services to all who have experienced this terrible trauma.

The Department of Health, SVPP, joined state and community partners to develop the first-ever, five-year strategic plan to prevent sexual violence in Florida. With funding, guidance, and support from the federal Centers for Disease Control and Prevention, the SVPP, along with state and community partners, created a common vision statement, mission statement, and six important goals. Through the year 2012 and beyond, statewide partners will work together on preventing sexual violence in their communities by addressing each community's unique needs, cultures, and resources.

The Department of Health, SVPP, in partnership with the FCASV and Florida's rape crisis centers, continues working to ensure that each victim has an opportunity to receive services and heal. The Florida Department of Health remains committed to providing funding to 30 certified rape crisis centers and FCASV to ensure sexual assault victims are served.

CERTIFIED RAPE CRISIS CENTERS IN FLORIDA

Abuse Counseling and Treatment, Incorporated (ACT)
Fort Myers

Alachua County Office of Victim Services
Gainesville

Another Way, Incorporated
Bronson

Bridgeway Center
Fort Walton Beach

Broward County Sexual Assault Treatment Center
Fort Lauderdale

Center for Abuse and Rape Emergencies (CARE)
Punta Gorda

**The Children's Advocacy Center of Volusia and Flagler Counties
Sexual Assault Response Team**
Daytona Beach

Creative Services, Incorporated
Ocala

Crisis Center of Tampa Bay
Apple Services
Tampa

The Dawn Center
Spring Hill

Family Service Centers Rape Crisis Program and Sexual Assault Victim Services
Clearwater

Haven of Lake and Sumter Counties, Incorporated
Leesburg

Lakeview Center Rape Crisis and Rape Awareness Programs
Pensacola

Manatee Glens Rape Crisis Services
Bradenton

**Mujeres Unidas en Justicia, Educación y Reforma (M.U.J.E.R.), Incorporated
(Women United in Justice, Education, and Reform)**
Homestead

Palm Beach County Victim Services
West Palm Beach

Peace River Rape Recovery and Resource Center
Lakeland

Project Help, Incorporated
Naples

Putnam County Health Department Sexual and Physical Violence Intervention Program
Palatka

Quigley House, Incorporated
Orange Park

Refuge House, Incorporated
Tallahassee

Roxcy Bolton Rape Treatment Center/Jackson Memorial Hospital
Miami

Safe Place and Rape Crisis Center (SPARCC)
Sarasota

Safety Shelter of St. Johns County, Incorporated
Saint Augustine

Salvation Army Domestic Violence and Rape Crisis Program
Panama City

Sexual Assault Assistance Program
State Attorney's Office, 19th Circuit
Fort Pierce

Sexual Assault Victim Services
Viera

Sunrise of Pasco County, Incorporated
Dade City

Victim Service Center of Orange County
Orlando

Women's Center of Jacksonville Rape Recovery Team
Jacksonville

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