



**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 2010-2011 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 fine 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 fine 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 2011, county clerks deposited \$10,350,472 into the trust fund. In 2010-2011, the Florida Council Against Sexual Violence received \$341,135 to provide statewide initiatives in support of victims, while 30 certified rape crisis centers received \$1,364,542, for a total annual contract amount of \$1,705,677. These funds served 10,157 new primary and secondary victims; as well as continuing services to victims who were first seen prior to July 2010 (but are not included in the count for new victims). These victims received 137,522 sexual battery recovery services.

THE SCOPE AND IMPACT OF SEXUAL VIOLENCE

In 2010, the Florida Department of Law Enforcement reported 9,885 forcible sex offenses and 2,622 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, 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 effect on women's physical and emotional health, and the more severe the harassment, the more severe the reaction (National Women's Law Center, 2000).
- 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

At this time, rape crisis programs are experiencing severe staffing shortages, waiting lists and cannot meet the state's need with current resources. There are approximately 100 rape crisis advocates in the state of Florida providing services 24 hours a day, 7 days a week. In order to serve every victim of rape in Florida, each advocate would need to reach 7,130 female survivors to provide hotline services, crisis intervention, advocacy, medical intervention and therapy. In rural areas, many victims have to drive 2 hours to see a rape crisis advocate/counselor or wait 2 weeks until a rape crisis counselor is available to visit their county.

During the 2010-2011 fiscal year, the Department of Health contracted with the FCASV to subcontract \$1,364,542 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:

Safety Shelter of St. Johns County, d/b/a Betty Griffin House, St. Augustine:

"Dale" came into therapy in May of 2009. He shared that he was seeking counseling for the first time to address his feelings connected to a "relationship" that he had had as a child. As counseling continued for the next two years, it unfolded that "Dale" was sexually abused by his church counselor from the ages of 10 to 15. The man gained "Dale's" trust during a period when his parents were unavailable and "Dale" was feeling lonely. He turned to the man with problems he was having at school.

During his time with the Betty Griffin House Outreach Counseling program, "Dale" began to refer to what his church counselor did as abuse. He began to talk to other men about the abuse and to discover that he is not alone as a male adult survivor of childhood sexual abuse. He entered session one day and through tears said, "It should never have happened to me".

Since that time, "Dale" has begun a new relationship and no longer feels the need to hide what happened to him. He continues to grow in understanding and acceptance of himself and to find his way unencumbered by the false beliefs that once held him back.

Project Help, Naples:

A call came into the crisis hotline and a quivering voice on the end of the phone whispered "I was raped". This was the beginning of the 46-year-old female nurse's healing journey after being raped by a stranger.

The sexual assault team members responded quickly to the hospital. The client had fractured facial bones, her teeth were badly damaged, and her body was black and blue. The victim was

offered crisis counseling and agreed to make an appointment. Sitting in the counseling room, tears streamed down the victim's face, she stated, "I'm a nurse, I take care of people". She had multiple injuries that required weeks of medical attention. The alleged perpetrator was arrested and a long, drawn-out court case began.

Unfortunately, the sexual assault caused many physical and psychological problems that led to difficulties in the client's work environment. She ended up leaving the hospital where she worked for over 20 years. The victim continued to attend weekly counseling sessions. She grew stronger and healthier as she worked through the trauma. She decided to focus on a private practice nursing business, which became very successful.

Broward County Sexual Assault Treatment Center (SATC), Ft. Lauderdale:

A 14 year-old Hispanic girl came to SATC after being molested by her step-father from the ages of 7 to 10. She was seen at SATC for a forensic medical exam, where she received support and crisis intervention services from a crisis intervention counselor. At that time, the family also began counseling services. The teen girl has been attending therapy sessions once a week to process and heal from the sexual abuse.

The teen girl originally presented with insomnia, nightmares, anxiety, depression and a lot of shame and guilt. Since attending counseling at SATC, the teen girl is now sleeping through the night, has stopped having nightmares, expressing feelings of hope, and understanding that the abuse was not her fault. She has gone on to achieve straight A's in school, and made a perfect score on the FCAT test in the 2010-2011 school year. She has better self-esteem and reports a feeling of pride in herself and her family.

The teen girl has also been able to process feelings about the legal process and the therapist has provided information, support and referrals during the legal proceedings. In addition, the mother and the teen girl have been able to apply for a U-visa to help them remain in the United States and recover from the trauma the family has experienced. This family did not have any financial resources to afford services and without SATC, this family would not have been able to receive needed services to heal from the abuse. The teen girl has expressed a desire to go to college and be a doctor.

SEXUAL BATTERY SERVICES

In 2010-2011, 10,157 new primary and secondary victims and on-going victims seen prior to 2010 received the following sexual battery recovery services:

<u>Type of Service</u>	<u>Number of Services</u>
Advocacy and Accompaniment	40,587
Crisis Intervention	29,598
Hotline calls	11,872
Information and Referrals	29,779
Forensic Exams	2,486
Support Group	2,448
Therapy	<u>20,752</u>
Total	137,522

**RCPTF ALLOCATIONS BY PROGRAM
7/1/10-6/30/11**

Certified Rape Crisis Centers in Florida	Counties Served	Total Award
Abuse Counseling and Treatment, Incorporated (Fort Myers)	Lee, Hendry, Glades	\$53,581
Alachua County Victim Services & Rape Crisis Center (Gainesville)	Alachua, Bradford, Union	\$44,687
Another Way, Incorporated (Bronson)	Levy, Gilchrist, Dixie, Hamilton, Lafayette, Suwannee, Columbia	\$90,597
Bridgeway Center (Fort Walton Beach)	Okaloosa	\$18,286
Broward County Sexual Assault Treatment Center (Fort Lauderdale)	Broward	\$78,270
Center for Abuse and Rape Emergencies (Punta Gorda)	Charlotte	\$16,802
Creative Services, Incorporated (Ocala)	Marion	\$22,320
Crisis Center of Tampa Bay (Tampa)	Hillsborough	\$51,761
Haven of Lake and Sumter Counties, Incorporated (Leesburg)	Lake, Sumter	\$47,797
Lakeview Center Rape Crisis and Rape Awareness Programs (Pensacola)	Escambia, Santa Rosa	\$38,031
Manatee Glens Rape Crisis Services (Bradenton)	Manatee	\$21,135
Mujeres Unidas en Justicia, Educación y Reforma (M.U.J.E.R.), Incorporated (Women United in Justice, Education, and Reform) (Homestead)	South Miami-Dade	\$31,461
Palm Beach County Victim Services (West Palm Beach)	Palm Beach	\$60,224
Peace River Rape Recovery and Resource Center (Lakeland)	Hardee, Highlands, Polk	\$59,174
Project Help, Incorporated (Naples)	Collier	\$22,834
Putnam County Health Department Sexual and Physical Violence Intervention Program (Palatka)	Putnam	\$16,205
Quigley House, Incorporated (Orange Park)	Clay	\$16,499

Certified Rape Crisis Centers in Florida	Counties Served	Total Award
Refuge House, Incorporated (Tallahassee)	Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla	\$107,533
Roxcy Bolton Rape Treatment Center/Jackson Memorial Hospital (Miami-Dade)	Miami-Dade	\$75,310
Safe Place and Rape Crisis Center (Sarasota)	DeSoto, Sarasota	\$36,364
Safety Shelter of St. Johns County, Incorporated (Saint Augustine)	St. Johns	\$16,033
Salvare, Incorporated/dba Dawn Center of Hernando County (Spring Hill)	Hernando	\$15,811
Salvation Army Domestic Violence and Rape Crisis Program (Panama City)	Bay, Calhoun, Gulf, Holmes, Jackson, Washington	\$80,294
Sexual Assault Assistance Program State Attorney's Office, 19th Circuit (Fort Pierce)	Indian River, Martin, Okeechobee, St. Lucie	\$59,608
Sexual Assault Victim Services (Viera)	Brevard, Seminole	\$52,987
Suncoast Center, Incorporated/dba Family Service Centers (Clearwater)	Pinellas	\$48,135
Sunrise of Pasco County, Incorporated (Dade City)	Pasco	\$24,307
The Children's Advocacy Center of Volusia and Flagler Counties Sexual Assault Response Team (Daytona Beach)	Volusia, Flagler	\$42,061
Victim Service Center of Orange County (Orlando)	Orange	\$47,364
Women's Center of Jacksonville Rape Recovery Team (Jacksonville)	Baker, Duval, Nassau	\$69,071
TOTAL		\$1,364,542

IMPROVING RAPE CRISIS PROGRAM TRUST FUND COLLECTIONS

FCASV put forward a legislative proposal during the 2010 and 2011 sessions to enhance the Rape Crisis Program Trust Fund by adding several crimes related to sexual violence that will impose a mandatory fine for the trust fund. This legislative proposal passed in the 2011 session and the mandatory RCPTF fine has been added to the following offenses:

- The Florida Sexual Predators Act
- Luring or enticing a child
- Kidnapping of a child under age 13

- False imprisonment of a child under age 13
- 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
- Lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age
- 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
- Sexual performance by a child
- Written threats to kill or do bodily injury
- Protection of minors; prohibition of certain acts in connection with obscenity
- Computer pornography
- Transmission of pornography by electronic device
- Selling or buying of minors
- Sexual offender registry requirements
- Sexual misconduct prohibited; reporting required

FCASV sent letters to state attorneys in low-performing circuits requesting that the assessment be part of standard orders for all applicable offenses, in order to increase collections for the RCPTF. Additionally, FCASV, in partnership with the Florida Criminal Sexual Battery and Civil Sexual Violence Benchbook Advisory Committee, developed, printed, and distributed Florida's first-ever *Sexual Violence Benchbook* for the judiciary, which included information about the RCPTF fine. The Benchbook was distributed in April 2011, to all 989 judges in Florida (599 circuit court judges, 322 county court judges, 61 District Court of Appeals judges and 7 Supreme Court justices). It was also distributed to all 20 state attorneys and some local law enforcement agencies. RCPTF collections were also discussed in trainings with prosecutors and local Sexual Assault Response Teams.

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 funded 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 and 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 and 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.

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