

WOMEN'S LAW PROJECT

Safeguarding Rights, Creating Opportunities

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WOMEN'S LAW PROJECT HAILS FBI RECOMMENDATION TO CHANGE DEFINITION OF RAPE

FBI Action Marks Success of Decade-Long Campaign

Albuquerque, NM - Today, the FBI's Criminal Justice Advisory Policy Board overwhelmingly voted in favor of changing the definition of rape in its Uniform Crime Reporting (UCR) Summary Reporting System (SRS) to reflect what the public understands to be rape and to conform with state felony sex crime statutes. The change expands the 82-year-old UCR definition of rape from forcible penile-vaginal penetration to "penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim."

"Although long overdue, we are pleased that the FBI has vetted this change extensively with its local and national law enforcement advisors and a clear consensus has emerged that a more accurate definition will better inform the public about the prevalence of serious sex crimes and will ultimately drive more resources to apprehend sex offenders," said Carol E. Tracy, Executive Director of the Pennsylvania-based Women's Law Project (WLP).

A decade ago, the WLP began a campaign to change the UCR definition of rape. On behalf of 90 state-based sexual assault coalitions and national organizations concerned with violence against women, the WLP wrote to FBI director, Robert Mueller, that the current definition, unchanged since 1927, was narrow, outmoded, steeped in gender-based stereotypes, and seriously understated the true incidence of sex crimes.

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Over ten years after the letter was sent, and one year after Carol Tracy testified before the U.S. Senate Judiciary Committee that the limited definition used in the UCR did not reflect current state criminal statutes and misled the public about the extent of sex crimes, the FBI Advisory Policy Board is now recommending that Director Mueller make the requested change.

“The public has the right to know about the prevalence of sex crimes,” said Terry L. Fromson, Managing Attorney of the WLP. “It is critical that we have accurate information, because data drives practices, resources, policies and programs,” continued Fromson.

The WLP’s campaign was bolstered this year by a Ms Magazine / Feminist Majority initiative that resulted in over 160,000 emails being sent to the FBI and by testimony supporting the change from Susan Carbon, Director of the Department of Justice, Office of Violence Against Women, before the FBI advisory committees.

“It’s a great victory,” said Eleanor Smeal, president of Feminist Majority Foundation. “This new definition will mean that, at long last, we will begin to see the full scope of this horrific violence, and that understanding will carry through to increased attention and resources for prevention and action.”

The Women’s Law Project’s work on sex crimes extends beyond data collection to improving police practices in responding to sex crime complaints. The WLP’s efforts in this regard, ongoing in Philadelphia since 1999, led to a critical issues forum of the Police Executive Research Forum in October, 2011 to discuss implementing “best practices” in light of numerous public reports of police failures to appropriately investigate sex crimes in multiple cities throughout the U.S.

“Ultimately, accurate data is a fundamental starting point to improving police response to sex crimes and improved practice should lead to increased victim confidence in police and reporting,” said Tracy. “We know that sex offenders are often serial offenders and that better police practices should improve apprehension and decrease victimization,” Fromson concluded.

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The Women’s Law Project is a public interest law center with offices in Philadelphia and Pittsburgh PA that seeks to improve the legal status of women thorough high impact litigation and policy reform.