

US redefines rape to count more people as victims

January 8 2012, By PETE YOST , Associated Press

(AP) -- The Obama administration says it is expanding the FBI's more than eight-decade-old definition of rape to reflect a better understanding of the crime and to broaden protections.

The new definition counts men as victims for the first time and drops the requirement that victims must have physically resisted their attackers.

Vice President [Joe Biden](#), author of the [Violence](#) Against Women Act when he was in the Senate, said the new definition announced Friday is a victory for women and men "whose suffering has gone unaccounted for over 80 years." Calling [rape](#) a "devastating crime," the vice president said, "We can't solve it unless we know the full extent of it."

The change will increase the number of people counted as rape victims in FBI statistics but will not change federal or state laws or alter charges or prosecutions. It's an important shift because lawmakers and policymakers use crime statistics to allocate money and other resources for prevention and victim assistance.

The White House said the expanded definition has been long awaited as many states and research groups made similar changes in their definitions of rape over recent decades.

Since 1929, the FBI has defined rape as the carnal knowledge of a female, forcibly and against her will. The revised definition covers any gender of victim or attacker and includes instances in which the victim is

incapable of giving consent because of the influence of drugs or alcohol or because of age. Physical resistance is not required. The Justice Department said the new definition mirrors the majority of state rape statutes now on the books.

Congress approved \$592 million this year to address violence against women, including sexual assault, [domestic violence](#), [dating violence](#) and stalking, under the Violence Against Women Act and Family Violence Prevention and Services Act. Of that amount, \$23 million goes to a sexual assault services program and \$39 million to a rape prevention and [education program](#) administered by the Centers for Disease Control and Prevention. The Obama administration had sought \$777 million to combat violence against women.

The change likely will result in big increases in the number of reported rapes, but it was not immediately clear how big. To take just one example of how the FBI totals will change, Chicago didn't report any rapes to the FBI for 2010 because its broad definition of the crime didn't match the FBI's narrow definition.

The change has been sought by women's groups for more than a decade.

The Women's Law Project, on behalf of more than 80 [sexual assault](#) coalitions and national organizations concerned about violence against women, wrote FBI Director Robert Mueller in 2001 that the narrow definition reflected gender-based stereotypes and requested it be changed.

Using the old definition, a total of 84,767 rapes were reported nationwide in 2010, according to the FBI's uniform crime report based on data from 18,000 law enforcement agencies.

Nearly 1 in 5 women and 1 in 71 men in the U.S. have been raped at

some time in their lives, according to a 2010 survey by the National Center for Injury Prevention and Control of the Centers for Disease Control and Prevention, which used a broader definition.

The revised FBI definition says that rape is "the penetration, no matter how slight, of the vagina or anus with any body part or object," without the consent of the victim. Also constituting rape under the new definition is "oral penetration by a sex organ of another person" without consent.

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