



Grade 8: Affirmative Consent

Overview

Students define affirmative consent and learn basic guidelines for how to ask for consent. Students also review how to know if someone is not consenting, and situations where consent is not possible. Students participate in a small group activity where they are encouraged to think through multiple situations and determine when consent was given.

Timing

45 minutes

Objectives

By the end of this lesson, students will:

- Define affirmative consent.
- Identify ways that consent can be communicated.
- Identify laws related to consent.

Standards

Washington State Sexual Health Standards

- Standard 1: Students will comprehend concepts related to health promotion and disease prevention to enhance health.
 - Explain how to build and maintain healthy family, peer, and dating relationships. H1.Se5.8a
 - Define sexual consent and identify ways that consent can be communicated and accepted. H1.Se5.8b
 - Identify state laws related to sexual offenses, including when a minor is involved. H1.Se6.8b

Materials Needed

- Computer/projector/speakers to display PowerPoint, including video streaming
- Scenarios slips from Activity: Affirmative Consent
- Handout: Sexual Assault – A Resource for Young People, one for each student
- Paper for student exit ticket (or assignment if preferred)

Teacher Preparation

- Print copies of the Handout: Sexual Assault – A Resource for Young People for each student
- Cut out the scenario strips from the Activity: Affirmative Consent Scenarios
- Write “Consensual” and “Non-Consensual” on the top of the board, or hang signs with those words as their heading.

Agenda

Introduction – 5 minutes

Slide 1

- Welcome students, introduce topic, review ground rules.

Slide 2

- Review slide.

Slide 3

- Teacher Script: *Can anyone share out why consent is important when doing something intimate or sexual?* [Possible responses: so you don’t hurt/harm another person, so your partner feels comfortable, so you don’t break the law, etc.] *Exactly, consent shows care for another person.*
- Teacher Script: *What are some situations where a person cannot consent to sexual activity?* [Possible responses: if they are intoxicated, if someone is under the age of consent, if they are unable due to a disability, etc.] *You all had some good ideas about situations where a person cannot consent. We’ll answer this question more deeply later in the lesson.*

Discussion - 20 minutes

Slide 4

- Teacher Script: *Affirmative consent is an informed, voluntary, and explicit agreement to participate in a sexual act. “Informed” means that a person understands exactly what they are agreeing to do. “Voluntary” means a person says yes without any pressure or manipulation. And “explicit” means the activity is clearly stated.*

Slide 5

- Teacher Script: *We are going to watch a 3-minute video. Serving tea is used as a metaphor for consent. As you watch, think about situations where people can and cannot consent.*

Slide 6

- Teacher Script: *What were some situations in the video where someone could not consent?*

Slide 7

- Teacher Script: *There are some basic guidelines when getting consent.*
 - *First, you want to ask for consent.*
 - *Then, listen for the answer. A clear yes is always needed. A yes can be verbal or non-verbal, but verbal communication is often the clearest way to get consent. If someone says no, then they are not giving you their consent. People may say no verbally, but people may also say no non-verbally by being silent, trying to leave, expressing uncertainty, or freezing.*
 - *If someone seems unsure, don’t force or pressure them.*
 - *If someone changes their mind, it’s okay. They don’t have to do anything they don’t want to. Consent is an ongoing conversation, so someone could yes and then later decide they don’t want to continue. Consent can be reversed at any time.*

Slide 8

- Teacher Script: *If a person is unconscious, incapacitated, or passed out, they cannot make the decision to consent. In this case, make sure the person is safe and don't force them to do anything. An absence of a no is not a yes. If a person has consented to do something in the past, it doesn't mean they've consented to do something in the future. Consent cannot be assumed regardless of past sexual encounters, relationship status, and so on. You have to ask for consent every time.*

Slide 9

- Teacher Script: *Can anyone share out any laws related to consent?*
- Possible responses: WA State age of consent is 16 years old, someone cannot consent if they are under the influence of drugs or alcohol, if one person is a lot older than the other person it is the older person's responsibility to make sure that they are not abusing their position of power (i.e. the younger person is over the age of consent and is consenting freely.)

Slide 10

- Teacher Script: *Let's take a few minutes to review the Sexual Assault: A Resource for Young People handout. This resource dives into consent laws in Washington State, specifically regarding teenagers.*
- Pass out one copy of the handout to each student. Allow 3-5 minutes for them to review.

Slide 11

- Teacher's script: *Consent is not possible if there is an unfair or illegal power imbalance between people.*
 - *For example, an 18 year old is not allowed to have sexual contact with a 13 year old. Even if the 13 year old said yes, it is still against the law. Can anyone tell me why? **[Pause for responses]**. In this case, the 13 year old cannot consent because they are under the legal age of consent and cannot consent to someone more than 3 years older.*
 - *If someone is in a position of power, like a teacher, they cannot have sexual contact with someone who is their student. Why do you think that is? **[Pause for responses]**. Even if the student is over the age of consent, there is still a power imbalance if they had sexual contact with a teacher.*

Slide 12

- Review slide.
- Teacher Script: *The law states when someone is "mentally incapacitated" (for example, due to drugs or alcohol) they cannot consent to sex. Even if they say yes, they are not legally able to consent.*

Slide 13

- Teacher Script: *What are some ways we can ask for consent?*
- Click slide to animate and reveal possible response. Feel free to read aloud and fill in the blanks.

Slide 14

- Teacher Script: *There are several ways to know if someone is consenting. The easiest way to know if you've gotten consent is with a verbal confirmation. If someone says, "Yes," "Let's do it," "Sure," or "Okay," then that person is verbally giving you consent. Someone might also give consent non-verbally, by nodding, proceeding with what you asked and/or gesturing to do the activity. However, nonverbal cues can be harder to read. If you're unsure whether they've consented or not, ask again.*

Slide 15

- Teacher Script: *There are a bunch of ways to know if someone is not consenting.*
 - *They might say no verbally, by saying any of the phrases on the slide. Can anyone think of more examples of verbally not consenting to something? [Possible responses: “I’ve changed my mind,” “I’m uncomfortable,” “I’m unsure,” “I’m not having a good time,” “I’m not in the mood,” “I’m kind of confused.”]*
 - *Someone might also say no non-verbally, by pulling away, shaking their head, making a face, putting their hands up, being silent/neutral, or just not answering.*
 - *If someone says no, either verbally or nonverbally, it’s your responsibility to respect their answer. Someone can say no at any point. So even if they originally consented to the activity, they can decide midway through that they don’t want to continue, and that’s their right.*

Activity - 15 minutes

Slide 16

- Direct students to get into groups of 3.
- Give each group 2-3 scenario slips from the activity document and ask them to tape their scenario under either “consensual” or “non-consensual”.
- Once students have taped up all cards, facilitate a group discussion and move cards to the correct category as needed. Consult answer key for correct category and suggested language.

Closing – 5 minutes

Slide 17

- Teacher Script: *Remember consent is an informed decision. Meaning everyone involved is aware of exactly what is happening. Consent is voluntary, meaning everyone is participating free of force or coercion. And consent is explicit, meaning the activity is clearly stated.*

Slide 18

- Teacher Script: *If you ever have a friend tell you that they have been touched without their consent or hurt in any way, here is how you can support them: First, tell them you believe them. Second, let them know what happened to them was not their fault. Third, support them in any way they need. And fourth, seek out any resources that could be helpful.*

Slide 19

- Review Slide

Slide 20

- Ask students to write responses to prompts in the slide
- Note: If preferred, this could be assigned as homework instead of an exit ticket by using attached assignment document

Slide 21

- Credits

Vocabulary

Key words in this lesson:

- Sexual Assault – The term sexual assault refers to sexual contact or behavior that occurs without explicit consent of the victim. Some forms of sexual assault include attempted rape; fondling or unwanted sexual touching; forcing a victim to perform sexual acts, such as oral sex or penetrating the perpetrator’s body; penetration of the victim’s body, also known as rape.

Additional Resources

Websites:

- CDC - <https://www.cdc.gov/violenceprevention/sexualviolence/index.html>
- RAINN - <https://www.rainn.org/>

Handouts and Assignment – on following pages

- Activity: Affirmative Consent Scenarios
- Handout: Sexual Assault – A Resource for Young People
- Assignment: Ask, Listen, Respect – Consent (optional alternative to exit ticket)



Activity: Affirmative Consent Scenarios
8th Grade Sexual Health Education

Procedure: Print out the scenarios and cut out each card, keep the answer key for reference. Direct the students to get into groups of three. Give each group 2-3 cards depending on the size of the class. On the whiteboard, write “consensual” on one side and “non-consensual” on the other side. Have each group discuss whether the scenario on each card is either consensual or non-consensual. Provide tape for the students to tape their cards up either under “consensual” or “non-consensual.” Once the students have finished taping their cards to the whiteboard, hold a discussion about their responses. Go through scenarios and have the students discuss whether it’s consensual or non-consensual. If a card is under the wrong word/section, move it to the correct side.

*Note: You do not have to pass out every scenario if there is not enough time.

Cards for Printing/Cutting Out:

Scenarios
1. Amy is at a party and she sees her crush, Julia. Amy starts flirting with Julia and she puts her arm around her. Julia remains silent and avoids making eye contact.
2. Victor walks his crush, Rosa, home and asks if he can come inside to hang out in Rosa’s room. Rosa says, “I’m not sure,” and Victor proceeds to walk in Rosa’s house while she stays standing alone outside of the house.
3. Leo and Anthony have been dating for 3 months. During their relationship, they haven’t done anything beyond kissing. Leo thinks he wants to go a little farther physically with Anthony. While kissing, Leo asks Anthony what he thinks about them trying something new, Anthony says he’s been thinking to ask Leo the same thing.

Scenarios
4. Lili is hanging out with her boyfriend James. Lili and James have made out a few times during their relationship. James seems quiet when Lili starts kissing him, even though James was really into it just the other night.
5. Miles and Hannah have been dating for a few months and have been sexual with each other. Miles is 16 and Hannah is 19. Miles believes he's in love with Hannah, but his parents think Hannah is too old for him.
6. Juan goes to a party at a friend's house and sees his crush, Kiara. Several hours into the party, Kiara is passed out on the couch. Juan goes up to Kiara to talk to her, but she's half asleep. Juan leans over and kisses Kiara. Kiara later wakes up and is groggy. Juan offers to drive Kiara home. Juan gets Kiara home safely.
7. Drew and Alexis are at Drew's house watching a movie. Drew asks Alexis if she'd like to cuddle while they watch the movie, and Alexis nods her head.
8. Sarah and Liz have been best friends since the 1st grade. Sarah is not a super touchy-feely person, but Liz loves to be physically affectionate. Liz asked Sarah if she could hug her. Sarah shrugged, and Liz gave her a big hug.
9. Joel is in love with his older sister's best friend, Phoebe. Joel is 13 and Phoebe is 17. Joel tells Phoebe he has feelings for her, and she says she has feelings for him too. Joel and Phoebe start dating and soon have sex.

Scenarios
<p>10. Bianca is at a party and she sees Nick, who she always thought was cute. Nick has been drinking a little and Bianca goes up to talk to him. Bianca asks Nick if he wants to hangout in a private room, and Nick agrees.</p>
<p>11. Nina and Aidan have been dating for a few months now. Aidan tells Nina that he'll break up with her if she doesn't have sex with him tonight. Aidan says he's been patient enough. Nina doesn't want to lose her relationship with Aidan, so she agrees to have sex with him.</p>
<p>12. Carlos and Rahim go to the school dance together. They spend the evening telling each other jokes, dancing, and having a great time. Rahim leans over to kiss Carlos, and Carlos enjoys it. Rahim starts to touch Carlos, but Carlos tells Rahim that he's not comfortable going much farther. Rahim ignores Carlos and continues.</p>
<p>13. Abby and Sam have been dating for a year. They have lived in the same neighborhood all their lives, so they know each other well and have come to really care for each other. Abby is 14 and Sam is 16. Recently they have been talking about having sex. They discuss what they're both OK with doing sexually.</p>
<p>14. Tasha has a crush on her afterschool tutor, Kyle. Tasha is 16 and Kyle is 18. Kyle is getting college credit to tutor Tasha in math. Tasha lets Kyle know she has a crush on him, and Kyle says he has similar feelings. They begin to date and eventually have sex.</p>

Scenarios
15. Jared and Lila are preparing to have sex for the first time. Jared has had one sexual partner before Lila, but Jared is Lila's first boyfriend. Before doing anything sexual, Jared informs Lila that he got an STI from his last partner but has since been treated. Lila appreciates Jared's honesty and says she still wants to do something sexual with him.
16. Carly and Noah have been dating for six months and are planning to have sex. They discuss what they're comfortable doing and ways to be safe. Noah asks Carly if she's on any type of birth control, and Carly says she takes the pill. The two still agree that they should use condoms for extra protection, and they're excited for this next step. Carly and Noah have sex, and midway through Noah decides to take off the condom without telling Carly. He figures since Carly is taking birth control, it should be fine.
17. Maddi is 14 and is a freshman in high school. Elijah is 18 and works at Maddi's family's business. Maddi and Elijah have gotten close due to Elijah being around Maddi's family's store all the time. Recently, Maddi and Elijah have been meeting up away from the store to get some alone time. Elijah told Maddi that he loves her, and that he'd like to have sex. Maddi said she felt the same way.
18. Rashawn is at a house party and is drinking. His girlfriend, Ellie, who he has been sexual with in the past, pulls Rashawn into an empty bedroom in the house and starts taking off his clothes. Rashawn is fading in and out of consciousness.
19. Ian and Markus have been flirting for a while through text. Ian starts getting pretty sexual in his texts to Markus and Markus gets a little nervous. Markus doesn't respond and Ian continues to send sexual texts to Ian.

Scenarios
20. Isaac and Jenn have been dating for a year. Isaac is 16 and Jenn is 17. Recently the two have discussed having sex. They feel they are both ready and they have talked about ways to stay safe.
21. Kevin and Joanna have been DMing each other for a little while now. Through DMs, Joanna and Kevin agree to meet in person. Joanna DMed Kevin before their date to tell him she wanted to kiss when they got together. In person, Kevin tried to kiss Joanna, but Joanna leaned away. Kevin said he was confused because Joanna said she wanted to kiss him earlier. Joanna said she thought she did, but things felt different in person.
22. Regina is walking down the hall. Malcolm walks towards Regina and snaps her bra strap. Regina yells out in discomfort. People nearby laugh and don't understand why Regina is upset. Malcolm walks away.

Answer Key:

Scenario	Answer
1. Amy is at a party and she sees her crush, Julia. Amy starts flirting with Julia and she puts her arm around her. Julia remains silent and avoids making eye contact.	Non-consensual - Julia is using nonverbal communication to convey her discomfort. Amy touched Julia without asking first.
2. Victor walks his crush, Rosa, home and asks if he can come inside to hang out in Rosa's room. Rosa says, "I'm not sure," and Victor proceeds to walk in Rosa's house while she stays standing alone outside of the house.	Non-consensual - Rosa said she wasn't sure, which means she did not give her consent. Victor proceeded to enter Rosa's house without getting full consent.

Scenario	Answer
3. Leo and Anthony have been dating for 3 months. During their relationship, they haven't done anything beyond kissing. Leo thinks he wants to go a little farther physically with Anthony. While kissing, Leo asks Anthony what he thinks about them trying something new, Anthony says he's been thinking to ask Leo the same thing.	Consensual - Leo asked Anthony if he wanted to try something new, and Anthony said he had been thinking the same thing. Leo clearly asked for consent before they started a new activity.
4. Lili is hanging out with her boyfriend James. Lili and James have made out a few times during their relationship. James seems quiet when Lili starts kissing him, even though James was really into it just the other night.	Non-consensual - past sexual activity does not guarantee consent in present or future interactions. James remained silent and not as excited. Lili should be checking in with her partner to make sure he's interested in what's happening.
5. Miles and Hannah have been dating for a few months and have been sexual with each other. Miles is 16 and Hannah is 19. Miles believes he's in love with Hannah, but his parents think Hannah is too old for him.	Consensual - in Washington State, the age of consent is 16 years old. Miles can consent to sexual activity with someone who is older than him, regardless of his parents' opinion.
6. Juan goes to a party at a friend's house and sees his crush, Kiara. Several hours into the party, Kiara is passed out on the couch. Juan goes up to Kiara to talk to her, but she's half asleep. Juan leans over and kisses Kiara. Kiara later wakes up and is groggy. Juan offers to drive Kiara home. Juan gets Kiara home safely.	Non-consensual - Juan kissed Kiara when she was unconscious. Kiara was not in the headspace to be able to give consent.
7. Drew and Alexis are at Drew's house watching a movie. Drew asks Alexis if she'd like to cuddle while they watch the movie, and Alexis nods her head.	Consensual - Alexis used nonverbal communication to express that she wanted to cuddle with Drew.
8. Sarah and Liz have been best friends since the 1st grade. Sarah is not a super touchy-feely person, but Liz loves to be physically affectionate. Liz asked Sarah if she could hug her. Sarah shrugged, and Liz gave her a big hug.	Non-consensual - Sarah used nonverbal communication to say she wasn't sure if she wanted to hug Liz. A shrug does not indicate consent.
9. Joel is in love with his older sister's best friend, Phoebe. Joel is 13 and Phoebe is 17. Joel tells Phoebe he has feelings for her, and she says she has feelings for him too. Joel and Phoebe start dating and soon have sex.	Non-consensual - Joel is under the age of consent and Phoebe is more than 3 years older than him. In Washington State, consent is not possible here.

Scenario	Answer
10. Bianca is at a party and she sees Nick, who she always thought was cute. Nick has been drinking a little and Bianca goes up to talk to him. Bianca asks Nick if he wants to hangout in a private room, and Nick agrees.	Non-consensual - Nick has been drinking and is not in a clear headspace to be able to give consent.
11. Nina and Aidan have been dating for a few months now. Aidan tells Nina that he'll break up with her if she doesn't have sex with him tonight. Aidan says he's been patient enough. Nina doesn't want to lose her relationship with Aidan, so she agrees to have sex with him.	Non-consensual - Aidan is using coercion to have sex with Nina. Nina cannot consent if she is being pressured into having sex.
12. Carlos and Rahim go to the school dance together. They spend the evening telling each other jokes, dancing, and having a great time. Rahim leans over to kiss Carlos, and Carlos enjoys it. Rahim starts to touch Carlos, but Carlos tells Rahim that he's not comfortable going much farther. Rahim ignores Carlos and continues.	Non-consensual - although Carlos enjoyed kissing Rahim, Rahim should have stopped touching Carlos once he said he was uncomfortable. Rahim needed to get consent for each activity. Rahim had consent to kiss Carlos, but he did not have consent to touch him.
13. Abby and Sam have been dating for a year. They have lived in the same neighborhood all their lives, so they know each other well and have come to really care for each other. Abby is 14 and Sam is 16. Recently they have been talking about having sex. They discuss what they're both OK with doing sexually.	Consensual - Abby is dating someone who is less than 4 years older, so it is consensual by Washington State law. Abby and Sam discussed what they were comfortable with before doing anything.
14. Tasha has a crush on her afterschool tutor, Kyle. Tasha is 16 and Kyle is 18. Kyle is getting college credit to tutor Tasha in math. Tasha lets Kyle know she has a crush on him, and Kyle says he has similar feelings. They begin to date and eventually have sex.	Non-consensual - although Tasha is over the age of consent, Kyle is in a position of power. Therefore, Tasha cannot consent due to the power differential. Tasha may feel obligated to date Kyle in order to get good grades.
15. Jared and Lila are preparing to have sex for the first time. Jared has had one sexual partner before Lila, but Jared is Lila's first boyfriend. Before doing anything sexual, Jared informs Lila that he got an STI from his last partner but has since been treated. Lila appreciates Jared's honesty and says she still wants to do something sexual with him.	Consensual - Jared informed Lila of his sexual history and Lila made the informed decision to still do something sexual with him.

Scenario	Answer
<p>16. Carly and Noah have been dating for six months and are planning to have sex. They discuss what they're comfortable doing and ways to be safe. Noah asks Carly if she's on any type of birth control, and Carly says she takes the pill. The two still agree that they should use condoms for extra protection, and they're excited for this next step. Carly and Noah have sex, and midway through Noah decides to take off the condom without telling Carly. He figures since Carly is taking birth control, it should be fine.</p>	<p>Non-consensual - Carly consented to having protected sex with Noah with a condom. Noah took off the condom without Carly's consent and could be risking Carly's sexual health.</p>
<p>17. Maddi is 14 and is a freshman in high school. Elijah is 18 and works at Maddi's family's business. Maddi and Elijah have gotten close due to Elijah being around Maddi's family's store all the time. Recently, Maddi and Elijah have been meeting up away from the store to get some alone time. Elijah told Maddi that he loves her, and that he'd like to have sex. Maddi said she felt the same way.</p>	<p>Non-consensual - Maddi is under the age of consent and Elijah is at least 4 years older than her.</p>
<p>18. Rashawn is at a house party and is drinking. His girlfriend, Ellie, who he has been sexual with in the past, pulls Rashawn into an empty bedroom in the house and starts taking off his clothes. Rashawn is fading in and out of consciousness.</p>	<p>Non-consensual - Rashawn is going in and out of consciousness and is not in the headspace to consent to anything.</p>
<p>19. Ian and Markus have been flirting for a while through text. Ian starts getting pretty sexual in his texts to Markus and Markus gets a little nervous. Markus doesn't respond and Ian continues to send sexual texts to Ian.</p>	<p>Non-consensual - Ian was sending sexual texts without Markus's consent. When Markus didn't respond, Ian continued to send sexual texts.</p>
<p>20. Isaac and Jenn have been dating for a year. Isaac is 16 and Jenn is 17. Recently the two have discussed having sex. They feel they are both ready and they have talked about ways to stay safe.</p>	<p>Consensual - Isaac and Jenn are both over the age of consent. They both discussed what they were comfortable doing before engaging in any sexual act.</p>

Scenario	Answer
<p>21. Kevin and Joanna have been DMing each other for a little while now. Through DMs, Joanna and Kevin agree to meet in person. Joanna DMed Kevin before their date to tell him she wanted to kiss when they got together. In person, Kevin tried to kiss Joanna, but Joanna leaned away. Kevin said he was confused because Joanna said she wanted to kiss him earlier. Joanna said she thought she did, but things felt different in person.</p>	<p>Nonconsensual - Joanna said she wanted to kiss Kevin through DMs, but in person it didn't feel right to her. Joanna changed her mind and did not give consent.</p>
<p>22. Regina is walking down the hall. Malcolm walks towards Regina and snaps her bra strap. Regina yells out in discomfort. People nearby laugh and don't understand why Regina is upset. Malcolm walks away.</p>	<p>Nonconsensual - Malcolm snapped Regina's bra strap without her consent in a public setting. This was sexual harassment.</p>

Discussion (for each scenario):

- "Do you think this scenario is consensual or non-consensual? Why do you think that?"
- "This scenario is actually, _____" (consensual or non-consensual as provided in the key). "This scenario is _____ because..."

SEXUAL ASSAULT: A RESOURCE FOR YOUNG PEOPLE

This contains sensitive and detailed information about sexual assault. Please reach out to us for support or questions:
Harborview Abuse & Trauma Center 206-744-1600 or www.uwhatc.org

CONSENT MEANS AGREEMENT. Consent is necessary each time that people do any type of sexual activity together. Not sure if someone is consenting? Ask them! Are they OK with this? You can ask if you can do something with them— it's best to be specific. Or, you can just ask what they want to do!

RESPECTING A SEXUAL PARTNER LOOKS LIKE:

1. Each person's choice: Made with a clear head.
2. Boundaries: Respectfully accept when a partner says "no" (with words or actions).
3. Affirmative consent: Engage in sexual activity only when there is a clear "yes" (with words or actions).
4. Checking in: Each person feels good about what they choose to do together.
5. Between equals: People have equal power considering their developmental level, their job, etc.

WHAT DOES THE LAW ACTUALLY SAY?

Legal Definition of CONSENT in WA: "at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact."

Sexual assault is sexual activity that is forced, illegal, or done without a person's consent. It is a violation of a person's body or boundaries. Often, it is an abuse of power. Sexual assault can happen to anyone, including people of all genders, ages, races, and sexual orientations. Many people have questions about the laws. Here are a few of the Washington State laws in simpler language. For more laws and exact definitions, look up the RCWs (Revised Codes of Washington) at app.leg.wa.gov. These laws vary state by state.

- **RAPE:** Forcing someone to have sex is rape. Legally, consent means words or actions that show agreement. Having sex with someone who did not give consent is rape. Having sex with a person who is unable to give consent is also rape. People who are "physically helpless" or "mentally incapacitated" (such as due to illness, effects of a substance, defect, or being unconscious) are unable to consent to sex. [RCW Chapter 9A.44]
- **DEPICTIONS OF MINOR ENGAGED IN SEXUALLY EXPLICIT CONDUCT (Child Pornography):** There are several crimes related to developing, possessing, viewing, copying, publishing, printing, exchanging, or distributing an image or video of a minor (under age 18) engaged in sexual conduct. [RCW Chapter 9.68A]
- **COMMERCIAL SEX ABUSE OF A MINOR:** There are several crimes related to promoting, allowing, paying, or offering anything of value in exchange for a minor engaging in sexual activity. [RCW Chapter 9.68A]

The legal response can vary in different cases. Many times there is no arrest or jail time period survivors can still get support. Minors and people with developmental disabilities should also be aware of mandated reporting laws. If you are concerned about this, you can always call our center anonymously and speak to a counselor: 206-744-1600.

LAWS ABOUT AGE DIFFERENCES:

These laws say who can consent to who, based on age. In general, the age of consent in Washington is 16. This list explains more:

RAPE OF A CHILD (STATUTORY RAPE): When an older teen/adult has sex with a younger child.

- When the younger person is under age 12, and the older person is at least 2 years older
- When the younger person is age 12 or 13, and the older person is at least 3 years older
- When the younger person is age 14 or 15, and the older person is at least 4 years older

CHILD MOLESTATION: When an older teen/adult sexually touches a younger child.

- When the younger person is under age 14, and the older person is at least 3 years older
- When the younger person is age 14 or 15, and the older person is at least 4 years older

SEXUAL MISCONDUCT: When an older person in a significant relationship and supervisory position (such as a coach, boss, youth counselor, teacher, etc.) has sex or sexual contact with a younger person.

- When the younger person is age 16 or 17, and the older person is at least 5 years older and in a supervisory position
- When the younger person is an enrolled student under age 21, and the older person is at least 5 years older and a school employee

WHO IS RESPONSIBLE?

For the sexual crimes involving age differences, the older person is considered to be responsible. The older people in these situations often have more life experience and resources. They can use those to pressure or manipulate the other person. Even if younger person thinks it's OK, or their parents think it's OK, it is a crime.

If a person chooses to have sexual contact with someone who did not consent (or could not consent), they are responsible for that choice. Sexual assault is never the victim's fault. You can challenge victim-blaming phrases like: "They should not have been drinking," or "They were leading them on," or "They didn't fight back." You can simply say, "I don't agree. No one ever deserves to be assaulted."

REACTIONS AND RECOVERY

It's normal to have different reactions after a sexual assault. It varies depending on the person and their experiences. Some common thoughts and feelings are:

- Feeling like it was their fault
- Feeling sad, anxious, or agitated
- Worrying people won't believe them
- Having repeated and unwanted memories of the event
- Feeling unsure about talking with investigators, other professionals, or even people close to them
- Having a hard time being happy or doing fun or important things

HOW CAN A COUNSELOR HELP?

1. Discuss your options, your rights, and share resources
2. Help to problem solve issues that come up
3. Answer your questions about the legal process
4. Teach new skills to manage bad feelings and memories
5. Discuss ways to get back to things you want to do

We want to help you move forward and start to heal.

TIPS FOR SURVIVORS AFTER A SEXUAL ASSAULT:

1. Time really does help heal.
2. Stay connected with supportive friends, parents, and other trusted people.
3. Do things that relieve stress and make you feel good. It's okay to set boundaries or take a break from people who have caused harm.
4. Get a medical exam: An exam is a good way to make sure your body is OK. You can ask questions, and get medications to prevent STDs and pregnancy. Evidence can be collected if you want (up to 5 days after an assault: sooner is better).
5. Talk to a counselor or advocate: Discuss concerns. Ask questions. Decide next steps.
6. Not everyone has trauma symptoms after an assault. If they do, counseling can be very effective at reducing symptoms (like nightmares and flashbacks). It can be short term.

CALL US. WE CAN HELP.

206-744- 1600

Harborview Abuse & Trauma Center: Offices in Seattle, Bellevue, and Shoreline

Services include: medical exams, crisis help, and counseling (most services are free)

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