



Strengthening California's Policies for Survivors of Sexual Violence

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I. EXECUTIVE SUMMARY

Sexual violence is a deeply rooted societal issue that transcends cultures and generations, and in recent decades, it has become a pressing concern within both public and private spheres. Survivors often face barriers to justice, stigmatization, and lack of institutional support, reinforcing cycles of silence and impunity. This brief will cover the history and pervasiveness of sexual violence, tried policy solutions and key stakeholders, and policy recommendations for building on progress made to enhance prevention efforts and support survivors.

II. OVERVIEW

Sexual violence is defined as, “any sexual act, attempt to obtain a sexual act, or other act directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting.” The impact of sexual violence can be life altering for victims and their families. About 30% of women report PTSD symptoms nine months after the rape, 33% contemplated suicide, and 13% attempted suicide. While these crimes affect everyone, women are disproportionately affected. One in five women are sexually assaulted in their lifetime, compared with one in 33 men experiencing assault. Women of color, Native women, LGBTQ+, immigrants, and women with

disabilities face higher rates of gender based violence than those who are not part of these groups. Additionally, women are more in danger of being sexually assaulted by an acquaintance than a stranger, yet these cases are often treated as lower priority. The term “unacknowledged rape” was developed in the late 20th century to describe instances of sexual assault where survivors do not define their experience as rape, even when it meets the legal criteria. This concept reflects how cultural narratives, such as the “violent stranger rape” trope, obscure the more common reality that sexual violence is often perpetrated by someone known, trusted, or even loved.

Survivors frequently interpret assaults as a “grey area” or dismiss them as “a weird night,” due to societal victim-blaming that pressures them to question whether their experience was “bad enough.” Rachel Thompson, author of *Rough*, writes that this ingrained doubt is a direct result of cultural stigma and inadequate systems of support. This highlights the need for stronger education, awareness, and survivor-centered policies to dismantle harmful myths and create pathways to justice. With the immediate and long-term impacts of sexual violence on the health and well-being of survivors, action is needed to increase awareness, reduce stigma, and support survivors.

III. HISTORY

Sexual violence has been a persistent issue throughout U.S. history, rooted in power imbalances shaped by patriarchy, race, and class. For much of American history, laws surrounding sexual assault reflected cultural beliefs that prioritized male dominance over women's bodily autonomy. In colonial America and through the 19th century, rape was often only recognized when the perpetrator was a stranger and the victim was a white woman. Enslaved Black women, for example, were legally unprotected from rape, as their bodies were seen as the property of enslavers rather than individuals with rights.

The 20th century brought incremental reforms, but social norms continued to normalize sexual harassment and assault. Marital rape, for instance, was not criminalized in all 50 states until 1993, reflecting the long-standing belief that a wife's consent was permanent once married. Similarly, the cultural narrative of "real rape" being violent attacks by strangers has long silenced survivors whose experiences occurred in intimate or social contexts. According to the National Sexual Violence Resource Center, more than 80% of rapes are committed by someone the survivor knows, yet these cases are the least likely to be reported.

The late 20th and early 21st centuries saw greater awareness due to feminist movements and survivor-led activism. The Violence Against Women Act (VAWA) of 1994 was a landmark step in funding survivor services and strengthening legal protections. As noted above, the #MeToo movement has exposed how

rampant the sexual violence across workplaces, industries, and communities. Still, structural inequalities remain deeply entrenched: survivors often face victim blaming, lack of institutional support, and systemic barriers to justice. There isn't adequate education to prevent sexual violence, and the legal system continues to fail survivors.

III. POLICY PROBLEM

Despite decades of reforms and awareness movements like #MeToo, California continues to face a pervasive crisis of sexual violence. Survivors often encounter systemic barriers when seeking justice or support: underreporting remains widespread due to stigma, fear of retaliation, and distrust in institutions; victim compensation processes are slow, complex, and inaccessible to many; and community-based organizations that provide critical services are chronically underfunded. While recent policies, such as AB 379's Survivor Support Fund, mark progress, they remain narrowly targeted and limited in scope, leaving large populations of survivors without sustained restitution or access to long-term recovery resources. Although progress has been made, California lacks consistent, statewide protections for survivors in workplaces, schools, and housing, creating inequities in who receives help and who falls through the cracks. Without stronger, survivor-centered policies, the cycle of trauma, silence, and systemic failure will persist, undermining both individual recovery and community well-being.

Survivors of sexual violence themselves, particularly those navigating the long term consequences of trauma, financial instability, and barriers to justice must be engaged in policy

solutions. Without adequate restitution and support, survivors are often left with unpaid medical bills, disrupted education, housing insecurity, or an inability to access therapy. These barriers prevent them from rebuilding stability in their lives. Ideally, survivors should have a central stake in shaping policies to ensure their needs are addressed and that they are survivor-centered, fair, and just.

Community-based organizations, especially those led by or guided by survivors, are also key stakeholders. These organizations provide essential services such as legal advocacy, crisis counseling, shelter, prevention, and long-term recovery programs. However, they are chronically underfunded and overstretched. Increased investments are needed to allow them to expand their research, build capacity, and expand their services across the state.

Educators and schools are important stakeholders in addressing sexual violence because they are central to both prevention and support. As primary sites of education, schools have the responsibility to teach students about consent, healthy relationships, and respect, making them critical actors in prevention efforts. They also often serve as the first place where survivors disclose experiences of abuse or assault, placing teachers, counselors, and administrators in the role of mandatory reporters who can connect students with necessary resources. Beyond reporting, schools provide essential support systems through counseling services, academic accommodations, and safety planning that allow survivors to continue their education while addressing trauma. Finally, because schools function as community hubs, their policies and

responses to sexual violence shape broader social norms, influencing how safe students feel and how willing they are to come forward. In this way, educators and schools are uniquely positioned to break cycles of silence and create safer environments for young people.

Our court system and legal professionals can directly shape how survivors access justice and how perpetrators are held accountable. Prosecutors, defense attorneys, judges, and court staff all influence whether cases are taken seriously, how evidence is evaluated, and how survivors are treated during legal proceedings. Courts also set important precedents that determine the effectiveness of laws designed to protect victims and punish offenders. When survivors interact with the legal system, their experiences can either reinforce trust or deepen feelings of doubt and retraumatization, depending on how sensitively and fairly the process is handled. Courts and legal professionals can play a pivotal role in reducing barriers to justice and reinforcing the rule of law in sexual violence cases.

Law enforcement and police officers are often the first point of contact for survivors seeking justice. Their response can determine whether survivors feel believed, supported, and safe enough to pursue legal action. Effective training and survivor-centered practices are essential to ensure officers handle cases with sensitivity, avoid retraumatization, and build trust in communities. At the same time, law enforcement plays a central role in investigating crimes, gathering evidence, and working with prosecutors to hold perpetrators accountable, making their approach pivotal to the overall effectiveness of sexual

violence policy.

Engaging young people is also important because they are both at risk of experiencing sexual violence and central to building a culture of prevention. Many assaults occur in schools, colleges, or social settings where young people spend much of their time, making them directly affected by gaps in education, awareness, and reporting systems. At the same time, engaging youth in conversations about consent, healthy relationships, and bystander intervention helps break cycles of silence and stigma. When young people are empowered with knowledge and resources, they not only protect themselves but also become advocates for safer communities and more accountable institutions.

The risk of indifference to sexual violence lies in the perpetuation of silence, stigma, and systemic barriers that discourage survivors from reporting (Felson & Paré, 2005). If stakeholders continue to neglect the problem, survivors will remain unsupported, and cycles of trauma and social inequality will continue to be reinforced. Patterns of underreporting—driven by fear of reprisal, financial dependence, and distrust in the justice system—would continue unhindered. Women of color, LGBTQ+ individuals, immigrants, and low-income communities, who already face higher rates of violence, would remain most vulnerable.

In addition, inaction will lead to further erosion of public trust in institutions, and over time, a lack of meaningful response could damage the legitimacy of the justice system itself. Apart from institutional harm, indifference also hinders survivors' ability to heal, achieve economic

independence, and fully participate in society, deepening inequities across gender, race, and class.

Because sexual violence does not only impact individuals, but rather ripples across entire societies and communities, it is imperative that policies addressing it remain nonpartisan. This is a matter of human rights and safety, not politics. While sexual violence disproportionately affects certain groups—including women, LGBTQ+ individuals, and communities of color, it ultimately harms people across every demographic, socioeconomic status, religion, and party affiliation. Policies that strengthen prevention, intervention, and access to justice for survivors should therefore be approached as a shared responsibility, drawing bipartisan support to ensure that no survivor is left without protection or recourse.

IV. TRIED POLICY

California recently strengthened survivor support and accountability for perpetrators by enacting Assembly Bill 379 (AB 379). This measure creates the Survivor Support Fund resourced by a \$1,000 fine imposed for crimes such as solicitation of prostitution and loitering with intent to solicit. The California Victim Compensation Board (CalVCB) is required to award grants to community-based organizations led by survivors of sex trafficking or guided by substantial survivor input. These organizations would then provide direct services in areas with high concentrations of trafficking. Additionally, the bill would require the California Office of Emergency Services (Cal OES) to administer

grants to county district attorney offices to strengthen the prosecution of human trafficking crimes.

While AB 379 is an important step toward centering survivor-led organizations and expanding resources, it has limitations. The funding mechanism, tied to fines from solicitation-related offenses, risks being unreliable and may not generate consistent revenue to meet the scale of survivors' needs. Moreover, the policy's scope is narrow, focusing specifically on trafficking-related crimes rather than extending to the broader population of sexual violence survivors who also face barriers to restitution and support. Without sustainable funding and a more expansive survivor-centered framework, AB 379 risks leaving many survivors without access to long-term recovery and justice.

California's *Safe at Home* program allows survivors of domestic violence, stalking, or sexual assault to use a substitute legal address, keeping their real residence private on public records. This helps survivors avoid being located by abusers while rebuilding their lives. While effective for safety, the program has limits in awareness and accessibility, and some survivors report difficulty navigating its requirements.

V. POLICY OPTIONS

Survivor Restitution and Support Fund

Survivors of sexual violence often face barriers to healing, justice, and economic stability. Current victim compensation systems are slow, inconsistent, and inaccessible to many survivors, especially those from marginalized communities. Without targeted support, survivors remain trapped in cycles of trauma, stigma, and financial

insecurity.

That's why it's necessary to expand on AB 379 and build on the Support Fund to include fining perpetrators of sexual assault, providing grants to support survivors and increasing awareness about the Safe at Home program.

Clarification of Affirmative Defense Laws

California's current self-defense laws allow for the use of force in cases such as home invasions, physical assaults, and robbery attempts under doctrines like the "Castle Doctrine." However, ambiguity around terms like "*imminent danger*" and "*reasonable belief*" creates challenges for survivors who claim self-defense in situations of violence, including sexual or domestic assault. This lack of clarity can make outcomes inconsistent, leaving survivors vulnerable to criminal charges when they act to protect themselves.

To address this, California must adopt reforms that clearly define these terms and ensure more consistent standards in applying affirmative defenses. Other states have taken steps to clarify or expand protections, ensuring that individuals acting in self-defense are not unfairly penalized and it's time for California to follow suit. By codifying clearer standards, survivors of violence would have stronger, more reliable protections under the law.

Educational Leave and Academic Protections for Survivors

For student survivors of sexual violence, balancing recovery, legal proceedings, and safety planning alongside coursework can be

overwhelming. Missing class to attend court, counseling, or relocation efforts often jeopardizes academic standing, scholarships, or even enrollment. While federal Title IX requires schools to offer “reasonable accommodations,” the process is often inconsistent and uneven across institutions, leaving many survivors vulnerable to academic penalties.

A state-level policy mandating educational leave and academic protections would allow survivors to take temporary leave, pause enrollment without financial penalty, or adjust course loads without losing academic progress or aid. This would ensure that survivors can prioritize safety and healing without risking long-term setbacks in their education. States like New Jersey have implemented stronger higher education survivor protections, helping survivors continue their academic and professional pathways and reduce drop-out rates.

VI. CONCLUSIONS

California has made important strides in supporting survivors of sexual violence, from strengthening victim services to funding survivor-led initiatives. Yet, the path toward comprehensive reform is far from complete. To truly address the scope of the problem, survivor-centered reform must account for the overlooked details of reporting, safety, and long-term recovery. While progress has been made, stigma, silence, and systemic barriers continue to limit justice and healing for too many. Continued advancement will depend on building sustainable policies, expanding protections such as a Survivor Restitution and Support Fund, clarifying affirmative defense laws, and guaranteeing educational leave and academic

protections for survivors. California’s progress shows what is possible, but a stronger commitment is still needed to place survivors at the center of policy and create lasting change.

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