



CONSENT & COERCION: What Are My Rights?



A KNOW your RIGHTS GUIDE

KNOW your RIGHTS

ANYONE CAN BE A VICTIM OF SEXUAL ABUSE REGARDLESS OF AGE, RACE, CLASS, GENDER, OR SEXUAL ORIENTATION.

CONSENT IS THE VOLUNTARY AGREEMENT TO A SPECIFIC ACTIVITY. IF ONE PERSON DOES NOT AGREE TO THE ACTIVITY, THERE IS NO CONSENT. For sex and sexual behavior, each person must agree to each activity. Consent cannot be given freely if someone is being pressured, coerced, or forced to participate in sexual activity. Also, if someone's ability to make decisions is impaired (for example, by drugs/alcohol or if they are sleeping) they cannot consent. Consent is needed no matter your relationship status, how long you've been together, or whether you have done a specific activity together in the past.

WHAT DOES IT MEAN TO CONSENT?

WHAT DOES IT MEAN TO COERCE SOMEONE?

COERCION IS THE ACT OF MANIPULATING, THREATENING, OR FORCING SOMEONE TO ENGAGE IN AN ACTIVITY WITHOUT CONSENT. It may include intimidating, pressuring, using physical force, getting someone drunk or high, threatening to harm yourself or another person, and/or making someone feel ashamed or guilty. Coercion can be verbal, emotional, physical, and/or sexual. Often, attempts to coerce are persistent, even after someone has said no or already refused. If someone is coerced into sexual behavior, that is sexual abuse.

SEXUAL BEHAVIOR CAN BE ANY ACTIVITY THAT EXPRESSES SEXUALITY OR LEADS TO SEXUAL AROUSAL, AND PEOPLE DEFINE "SEX" IN DIFFERENT WAYS.

THIS MAY INCLUDE:

- * KISSING
- * SEXUAL TOUCHING
- * VAGINAL, ORAL, OR ANAL SEX
- * FINGERING, HAND JOBS, OR MASTURBATION

Call Day One at 800.214.4150 to talk about options, text us at 646.535.DAY1 (3291) or email us at info@dayoneny.org. IT'S FREE AND CONFIDENTIAL.

HOW CAN I MAKE SURE?

THERE ARE WAYS TO MAKE SURE THAT THERE IS CONSENT BETWEEN YOU AND YOUR PARTNERS.

HERE ARE A FEW:

- * **BE CLEAR** about being on the “same page” as your partners. You can ask, *“Is there anything you don’t want to do?”, “Do you want to go further?”, “Should I keep going?”, “Are you good?” or “Do you want to stop?”.*
- * If, through words or body language, your partner seems hesitant, unsure, or scared, don’t try to force them.
STOP, and then CHECK IN WITH CLEAR AND SUPPORTIVE LANGUAGE.
- * It’s okay to ask questions about what does or does not feel good during sexual activity. Open communication is essential.
DON’T ASSUME SILENCE IS CONSENT.

- * **GET CONSENT FOR EVERY SEXUAL ACT.** For example, consenting to kissing doesn’t mean someone is consenting to anything else.
- * Just because your partner said “yes” in the past doesn’t mean they will say “yes” to similar activities in the future.
GET CONSENT EVERY TIME.
- * If your partner is drinking or using any kind of drug, be aware that they may not be able to consent to sexual activity.
IF YOU’RE AT ALL UNSURE, DO NOT TRY TO HAVE SEX.
- * If you’re being sexual in any way, and another participant asks you to slow down or stop, then **STOP**.

➡ DON’T ASSUME SILENCE IS CONSENT.



BE CLEAR ABOUT BEING ON THE “**SAME PAGE**” AS YOUR PARTNERS.

* 1 New York State has specific laws that address consent. For example, college campuses use the term “affirmative consent.” For more information, see our Guide on College Campuses.

HERE ARE SOME THINGS TO CONSIDER WHEN THINKING ABOUT **IF** AND **HOW** YOU WILL GIVE CONSENT:

IF...?

HOW...?

- * You should feel comfortable with your decision to engage in sexual behaviors. You should not feel like you're doing it because someone talked you into it or forced you.
- * You have the right to communicate, clearly and honestly, what you want, and what feels good or does not feel good to you.
- * You should feel comfortable bringing up reproductive health and safer sex practices.
- * You have the right to consent or not consent to each sexual act, even if you've been sexual with the person or done this specific thing (even *many times*) before.
- * It is okay to say "Stop" at any point, even if you've started.
- * If you are fine with an activity, you can say things like, "I like it when you..." "Can we try..." "What if you tried it this way..." or "That feels good."

WHAT IS **SEXUAL ABUSE?**

UNWANTED SEXUAL ACTIVITY, BY USE
OF FORCE OR COERCION, OR BY TAKING
ADVANTAGE OF A PERSON'S INABILITY
TO CONSENT.

NOTE ON AGE OF CONSENT AND STATUTORY RAPE

In New York State, the minimum age at which an individual can consent to sexual activity is 17 years old. A number of exceptions can apply depending on the ages of people engaged in sexual activities. Statutory rape laws determine what young people of different ages can consent to sexually. See Day One's website or contact us to speak with a lawyer if you have questions. If you are 24 years old or younger, call Day One at 800.214.4150 to speak confidentially with a counselor or lawyer about your options.

WHAT IS SEXUAL ABUSE?

UNWANTED SEXUAL ACTIVITY, BY USE OF FORCE OR COERCION, OR BY TAKING ADVANTAGE OF A PERSON'S INABILITY TO CONSENT.

SEXUAL ABUSE CAN TAKE MANY FORMS:

- * Unwanted grabbing, touching or humping someone in a sexual manner
- * Coercing someone into performing sex or sexual acts
- * **Having a partner keep going after you've asked them to slow down or stop**
- * Forcing someone to watch a sexual act or engage in sexual acts with other people
- * **Taking or sharing sexual photos/videos without consent**
- * Trying to manipulate or control decisions about using birth control
- * Misrepresenting their use of contraception (e.g. *saying they used a condom when they did not, or removing a condom and not telling their partner*)
- * Committing statutory rape

EVERYONE REACTS DIFFERENTLY TO SEXUAL ABUSE
BUT IF YOU HAVE BEEN SEXUALLY ASSAULTED, YOU MAY FEEL:

- * Headaches, nausea and general physical aches and pains
- * Calm or tired
- * Random moments of fear
- * Restless, sleepless,
or you may have nightmares
- * Depressed, unable to concentrate
- * Ashamed, dirty, or at fault

→ ALL OF THESE FEELINGS ARE A NORMAL RESPONSE TO A TRAUMATIC EVENT. SEXUAL ASSAULT IS NEVER THE VICTIM'S FAULT.

WHAT CAN I DO IF I HAVE JUST BEEN SEXUALLY

WHAT IF A FRIEND TELLS ME THEY'VE BEEN SEXUALLY ASSAULTED?

- * **TALK** to someone you trust and feel safe with.
- * **GO TO A MEDICAL FACILITY** to receive any or all of the following: testing for sexually transmitted infection and pregnancy, morning after pill/Plan B pill, evidence gathering, an advocate that can sit with you and support you, referrals for future support.
- * **CONSIDER REPORTING** to your school or work if the assault happened there.
- * **CALL 911**, the NYPD Special Victims Report Line at 212.267.RAPE (7273), or a rape crisis hotline such as Safe Horizon's 24 hour Rape Crisis/Sexual Abuse Hotline at 212.227.3000.
- * **Believe them.**
- * Don't ask unnecessary questions about details of what happened.
- * **Support their decision making. Share resources but don't pressure them on what to do.**
- * Don't have expectations about how they'll react.
- * **Don't blame them for what happened.**

→ IF YOU HAVE ANY QUESTIONS, CALL DAY ONE AT 800.214.4150 TO SPEAK CONFIDENTIALLY WITH A LAWYER OR COUNSELOR.



TALK

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Day One helps young people recognize the signs of abusive relationships, so they can make healthier choices from day one of dating.

We provide legal and social services, educational workshops and organizing opportunities to teens and young adults aged 24 and under who are experiencing intimate partner abuse. You do not need the permission of a parent or adult for any of the services that we offer. Everything you discuss with Day One will be kept confidential. If you or someone you know needs help, call us toll free at 800.214.4150, check us out online at www.dayoneny.org, text us at **646.535.DAY1 (3291)** or email us at info@dayoneny.org.