

**RESPONSIBLE SEX EDUCATION INSTITUTE:
CONSENT & REFUSAL SKILLS**

**CASBHC ANNUAL CONFERENCE
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WHEN DO WE START THE CONVERSATION?



SEXUAL VIOLENCE & SEX EDUCATION

- Young people need to know how to ask for, give, and hear consent (or lack thereof) **as early as possible***
- Sex education is an opportunity for young people to build these skills and learn how to communicate their boundaries and desires, how to determine their partner's boundaries and desires, and how to negotiate between the two

**Refer to: Talking About Consent and Healthy Relationships at Every Age*



SEXUAL VIOLENCE & SEX EDUCATION

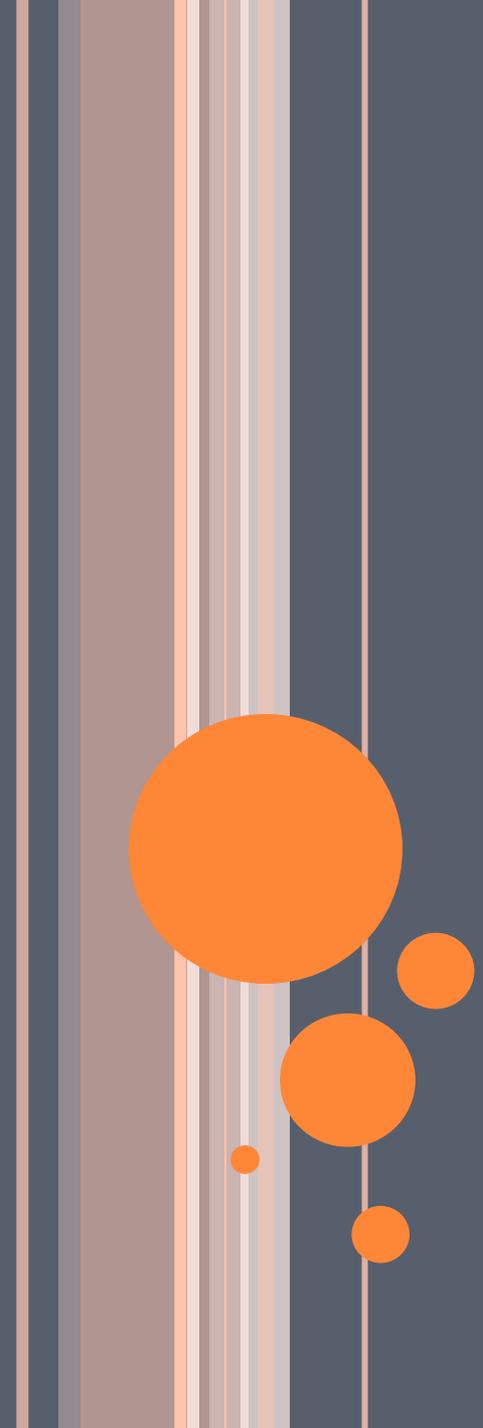
- Sexual violence is an issue that affects every community - regardless of age, sexual orientation, educational status, race, or gender
- Sex education is an important part of sexual assault prevention



SEXUAL VIOLENCE & SEX EDUCATION

- Everyone deserves a sex life that is safe, healthy, and pleasurable.
- Engaging in respectful, consensual sex includes being comfortable talking about what you and your partner want and don't want
- Policies and resources for survivors of sexual assault should support, not shame or judge, survivors
- We must make it clear in schools, workplaces, and communities that sex without consent is sexual assault and it is unacceptable!





TEA/CONSENT VIDEO:

[HTTPS://YOUTU.BE/FGoWLWS4-KU](https://youtu.be/FGoWLWS4-KU)

[HTTPS://WWW.PLANNEDPARENTHOOD.ORG/FILES/1414/6117/4323/CONSENT_SURVEY.PDF](https://www.plannedparenthood.org/files/1414/6117/4323/consent_survey.pdf): PPFA SURVEY LINK

In October 2015, Planned Parenthood surveyed a nationally representative sample of 2,012 adults 18-95 across the U.S. The survey, conducted by NORC at the University of Chicago, investigated knowledge and beliefs about consent and sexual assault.

- Nearly everyone believed sexual activity when one person is incapacitated or passed out is sexual assault
- On average, women had a clearer understanding of what actually constitutes consent, regardless of age, education, marital status, and race/ethnicity



PPFA CONSENT SURVEY RESULTS

- Women were also statistically significantly less likely to hold misconceptions about sexual assault
- There is strong support for teaching about consent and sexual assault in schools, but most reported that they didn't get education about consent when they were in middle or high school
- Many parents reported that they have talked with their teens about consent and sexual assault, though most people say their parents didn't talk with them.



PPFA CONSENT SURVEY RESULTS

- Parents talked with their daughters more than their sons about how to say no to a sexual activity, how to reduce the risk of being sexually assaulted, and rights and support services available if they have been sexually assaulted
- People are paying attention to sexual assault, and believe a lot more needs to be done to do to prevent it, support survivors, and deal with those who are accused of assault.



CONSENT

- Definitions
- Consent Bill of Rights
- Age and sexual consent
- Refusal skills



WHAT DOES CONSENT MEAN?

- Consent means freely choosing to say “yes” to something you want to do
- Giving consent is active, not passive; it means acting as an equal in a decision-making process.
- Consent is never coerced, assumed, a challenge, forced or owed
- Consent is a **SOBER** decision – if you are under the influence of drugs and/or alcohol to the extent you cannot make a decision, then legally, you cannot give consent. A person must have knowledge of the situation, and awareness of what is happening.



AFFIRMATIVE CONSENT

- When one person initiates sexual contact, he or she must get a clear, voluntary, enthusiastic YES for the sex to be consensual.

YES means YES!!!



CONSENT BILL OF RIGHTS

**REMINDER: *EVERYONE HAS THE RIGHT TO
REFUSE ANY BEHAVIOR AT ANY TIME NO
MATTER WHAT***



AGE AND SEXUAL CONSENT

- In Colorado, it is a **class 1 misdemeanor sexual assault** if the person is 10 years older than a minor who is 15 or 16 years old
- In Colorado, a person commits a **class 4 felony sexual assault** if he/she is at least 4 years older than a minor who is 14 years old or younger
- State law does not criminalize consensual sex when both parties are 17 years of age or older
- **Refer to CLCS Issue Brief for more information**
- Search: **Laws Governing Sex Offenders in Colorado** (pages 8 – 19 – Table of Sex Offenses)
- Sexual intrusion is defined by any intrusion, however slight, by any object or any part of person's body except the mouth, tongue or penis into the genital or anal opening of another person's body if that sexual intrusion can reasonably be construed as being for the purpose of simple arousal, gratification, or abuse. Sexual penetration means sexual intercourse, cunnilingus, fellatio, analingus or anal intercourse. (Source: 1998-2014 Boulder County Bar Association)



When Claudia and Timothy first met, their relationship was tumultuous. At first, Timothy didn't want to have sex with Claudia because he felt like too many people would find out. She kept trying to convince him. She implied that if Timothy did not sleep with her, she would break up with him. Timothy finally gave in and had sex with Claudia. Several months later after speaking with some friends, he realized he had been coerced.

Timothy did not consent to Claudia of his own free will. Whenever a threat is used to make someone consent, it is an invalid consent because it is forced. Consent should be given when the parties want to have sex with each other. Timothy consented not because he wanted to have sex with Claudia but because he feared that she would break up with him.



John is 14 years old. His older sister Sam takes John to a party. There he meets Paul, who is 19. They exchange phone numbers and begin texting on a regular basis. Paul invites John over to his apartment after school one day and they engage in consensual sex.

The next day, John tells his sister what happened. Sam tells her parents, who report the incident to the police. Can Paul be charged with a crime?

Yes. In Colorado, a person commits a class 4 felony sexual assault if he/she is at least 4 years older than a minor who is 14 years old or younger.



Kevin and Amy are at a party. Kevin is not sure how much Amy has been drinking, but he's pretty sure it's a lot. After the party, he walks Amy to her room, and Amy comes on to Kevin, initiating sexual activity. Kevin asks her if she is really up to this, and Amy says yes. Clothes go flying, and they end up in Amy's bed. Suddenly, Amy runs for the bathroom. When she returns, her face is pale, and Kevin thinks she may have thrown up. Amy gets back into bed, and they begin to have sexual intercourse. Kevin is having a good time, though he can't help but notice that Amy seems pretty groggy and passive, and he thinks Amy may have even passed out briefly during the sex, but he does not let that stop him. When Kevin runs into Amy the next day, he thanks her for the wild night. Amy remembers nothing.

Kevin should have known that Amy was incapable of making a rational, reasonable decision about sex. Even if Amy seemed to consent, Kevin was well aware that Amy had consumed a large amount of alcohol, and Kevin thought she was physically ill. He even thought she passed out during sex at one point. Kevin could be held accountable for taking advantage of Amy in her condition.



Sean is 20 years old. Sarah is 18. They are both students at a Colorado university. Sarah goes to Sean's dorm room with some mutual friends to watch a movie. Sean and Sarah have only met briefly before, but they are definitely feeling attracted to each other tonight. After the movie, everyone leaves, and Sean and Sarah are alone. They hit it off and are soon becoming more intimate. They start to make out and things progress quickly from there. Sean verbally expressed his desire to have sex with Sarah. Sarah verbally consents as she wants to have sex with Sean, too, and they proceed to have sex.

Yes, this is consensual sex. Sean expressed his desire/asked Sarah, and Sarah verbally said yes. Both Sean and Sarah are considered consenting adults (over 17) in the state of Colorado.



TIPS

- Use language that is respectful and shows you care
- Talk and act in a way that makes it clear you want to continue having a relationship
- Be honest about what you are thinking
- Try to understand where other person is coming from
- Use “I” statements



FOUR CHARACTERISTICS OF A CLEAR NO

1. Say NO, I don't; I can't; I won't (say why you are saying no)
2. Give a strong non-verbal "NO" message (body language)
3. Use a strong tone of voice
4. Say NO as many times as you need to



ALTERNATIVE ACTION

Suggests an action that gets you out of a situation

Suggest something Fun, Positive & Realistic

DELAY TACTIC

When you say or do something that breaks the mood or cools down the situation

Change the subject. Give yourself time to think.



IF YOU ARE STILL BEING PRESSURED....

- Leave the situation if possible
- Find a trusted adult/friend to talk to about this situation
- If all else fails, it's your right to fight back

