

USA: After Strauss-Kahn, Fear of Rape Victim Silence

Friday 9 September 2011, by [BUCKLEY Cara](#) (Date first published: 24 August 2011).

She seemed to be the perfect witness. She came forward right away, disclosing detail after damning detail of a sexual attack that, backed by forensic evidence, seemed airtight. She stuck to her story. But then her case fell apart after prosecutors questioned her credibility. The charges against the man she accused, Dominique Strauss-Kahn, were dropped.

Now, rape victims, women's rights advocates, detectives and prosecutors are sifting through the wreckage of the case of the accuser, Nafissatou Diallo, trying to determine what it will mean for rape cases — already among the most delicate in the criminal justice system — in the days and months to come.

Advocates for domestic violence victims said women who are raped would almost certainly be more fearful of stepping forward, knowing that everything in their past may be exposed; indeed, reporting of rapes usually drops in the aftermath of high-profile sexual assault cases. This reluctance, experts said, will be heightened for new immigrants, who are already fearful of authority, often fleeing a sexually violent past.

"This is going to twist and turn things around," said Susan Xenarios, head of the Crime Victims Treatment Center at St. Luke's-Roosevelt Hospital Center.

Other advocates said the dismissal relayed a chilling message that rich and powerful men were more likely to get away with sexual assaults. Still others said the facts of the Strauss-Kahn case were unique unto themselves.

Experts said rape crisis centers usually see a drop in reported cases in the aftermath of high-profile sexual assault cases, especially those in which the prosecution failed, like the case against Duke University lacrosse players; the recent acquittal, on the most serious charges, of two New York police officers who visited a drunk woman repeatedly in her apartment; and the William Kennedy Smith case in the 1990s.

More rapes go unreported than not: according to the Rape, Abuse and Incest National Network, 6 in 10 sexual assaults are not reported, and just 6 percent of rapists serve jail time.

Michael J. Palladino, president of the Detectives' Endowment Association, said the publicity of this case would unquestionably be a deterrent for some women. "I'm sure some will hesitate," he said. "They're really dragged through the mud, and they're victimized a second time."

That thought was echoed by Richard Emery, a longtime civil rights lawyer, who said: "The victim is terribly, terribly tortured, at every level. First by the crime itself. And secondly by the system. There's no escaping."

Lynn Hecht Schafran, senior vice president of Legal Momentum, a nonprofit legal advocacy organization for women and girls, said the Diallo case did have its uncommon aspects. The Manhattan district attorney's office, she noted, went to "unique lengths" to explain its reasoning in

dropping the case. The unusual background, including prosecutors' contention that Ms. Diallo repeatedly lied about her past, should not be a deterrent to other women, she said.

"Victims do not have to be pristine to be believed in court," Ms. Schafran said.

None of the women's advocates interviewed expressed doubt in Ms. Diallo's claim that she was assaulted. And they said her initial account of a gang rape in her home country — which she later admitted was false, contributing to the undoing of her case — could be explained by her anguished state and troubled past, several advocates said.

Dorchen A. Leidholdt, director of the center for battered women's legal services at the Sanctuary for Families, a nonprofit group that works with victims of domestic violence, noted that a vast majority of Guinean immigrant women had suffered from female genital mutilation, and many were forced into early marriages.

"Erratic responses are something that we see over and over again," Ms. Leidholdt said. "Her behavior was consistent with a trauma victim."

Women from tightly knit West African communities in New York were especially focused on the dismissal, saying it lent credence to entrenched beliefs that governed behaviors and attitudes among Muslim immigrants here: that in the event of a sexual attack, a woman is still to blame.

"In Africa, if something happens to you, you have to shut your mouth," said a 35-year-old former saleswoman from West Africa, who left a job as a home attendant after a charge in her care made sexual advances, and who did not want her name published for fear of community retribution. "But when you come here from Africa, you think that there's protection for women's rights."

Still, several women said they were inspired by Ms. Diallo.

A 23-year-old graduate student who is from Guinea and lives in the Bronx said Ms. Diallo's allegations emboldened her to lodge a complaint against a professor who had made sexual advances and offered her a higher grade if she complied. The woman, who requested anonymity for fear of community stigmatization, was raped by a family member years ago, she said, yet until recently never told anyone. She said the dismissal in the Diallo case suggested to her that people in power would always be protected.

"I feel more vulnerable," she said.

As for Ms. Diallo, the young graduate student said the former hotel worker had already been ostracized among New York's Guineans for being an "unlucky woman."

"This situation," the young woman said, "is going to make things worse."

CARA BUCKLEY

P.S.

* Published: August 24, 2011. A version of this article appeared in print on August 25, 2011, on page A21 of the New York edition with the headline: After Strauss-Kahn Case, Fears That Victims Won't

Speak Up.:

http://www.nytimes.com/2011/08/25/nyregion/after-strauss-kahn-case-fears-that-victims-wont-speak-up.html?_r=1