

## Sex Offenders as Harm-Doers and as Survivors: A Roundtable Discussion

“In addition to spaces where people can share their experiences with sexual violence, we want to stress the importance of also creating spaces where we teach people to not sexually assault, in service of growing a new generation where sexual assault is not an option. We don’t just want to focus on the aftermath or consequences once an incident of sexual violence has happened, but we also want to focus on preventing it from happening.

***This includes creating a space for offenders of sexual violence, who also may be survivors of sexual violence, and cultivating a more nuanced understanding of the links among categories of “survivor,” “bystander” and “offender”.***

– NAPIESV Community Listening Report, 2013

The National Organization of Asians & Pacific Islanders Ending Sexual Violence (NAPIESV) hosted its second roundtable on justice, centering harm-doers in sexual violence cases, in Portland, Oregon on August 12<sup>th</sup> and 13<sup>th</sup>, 2019. NAPIESV invited seven (7) individuals to participate in the two-day discussion; the majority of the participants were those who work with sex offenders or harm-doers. In 2018, NAPIESV hosted a roundtable on justice focusing on victims/survivors, and the second roundtable discussion was a continuation of the first, but the targeted group was offenders and harm-doers who may also be victims of sexual violence.

Two participants were from Guam and the rest from the continental United States. Two participants were from communities of color other than Asians and Pacific Islanders (API). Three of the participants identified as male.

For the past couple of decades, there has been significant debate in the United States on how to provide services to victims of sexual violence who may have also committed sexual violence. The NAPIESV Program Director, Nina Jusuf, who used to be the director of San Francisco Women Against Rape (SFWAR) in the early 2000s, pointed out that many victim service providers resisted providing services for offenders whenever the issue of their victimization experiences arose. As NAPIESV expands its efforts to ensure services are provided to all victims, the organization has also had to address the complexity of the categories of “victim” and “offender/harm-doer/perpetrator.” Myths abound, often causing victim service providers to hesitate when encountering harm-doers who disclose being victims of abuse. Some of these misconceptions include:

- Only males commit sexual violence

- Victims cannot be harm-doers
- Adolescents do not commit sex crimes

The majority of API-led victim service organizations are dual programs, that is, serving both victims of domestic violence and of sexual violence. As a result, sexual violence victim services often mimic domestic violence victim services that cater to cisgender straight women, thus limiting not only a comprehensive understanding of victims and harm-doers, but also limiting effective services to all victims of sexual violence. Domestic violence victim services often manifest in “crisis” situations, with engagement of first responders and “tangible” outcomes such as emergency housing or medical intervention, compared with sexual violence victim services, where treatment is long term or a survivor may need an advocate to talk to as a result of being triggered that morning by past trauma.

This paper aims to share the information, insights, and ideas gathered at the second roundtable and elaborate on what NAPIESV will do to continue deepening its knowledge about sexual violence and enhancing services to victims of sexual violence in API communities.

It must be stated here that the participants focused more on prevention, and faced a difficult time exploring services for harm-doers who have also been victimized. However, the roundtable must be lauded for beginning the conversation on this urgent issue.

### **Who are the harm-doers?**

Harm-doers globally are predominately males, both adults and adolescents. There are juveniles with sexual offending behaviors and pre-pubescent youths with problematic sexual behaviors, ages 12-16, 16-18, and 18 and above, but it is all based on developmental phases. A very small proportion of offenders would need treatment that is life-long to stop sexual harm-doing.<sup>1</sup> The hypothesis that “if you were sexually abused, you are most likely to commit sexual assault” has some support, but there are other more significant causal factors than one’s sexual violence victimization history.<sup>2</sup> In addition, observational research has shown that juveniles frequently stop their sexual aggression as they age. A majority of sex offenders in prison have a history of experiencing sexual trauma, so it is important to assess the risks of youth victims becoming offenders following their trauma.

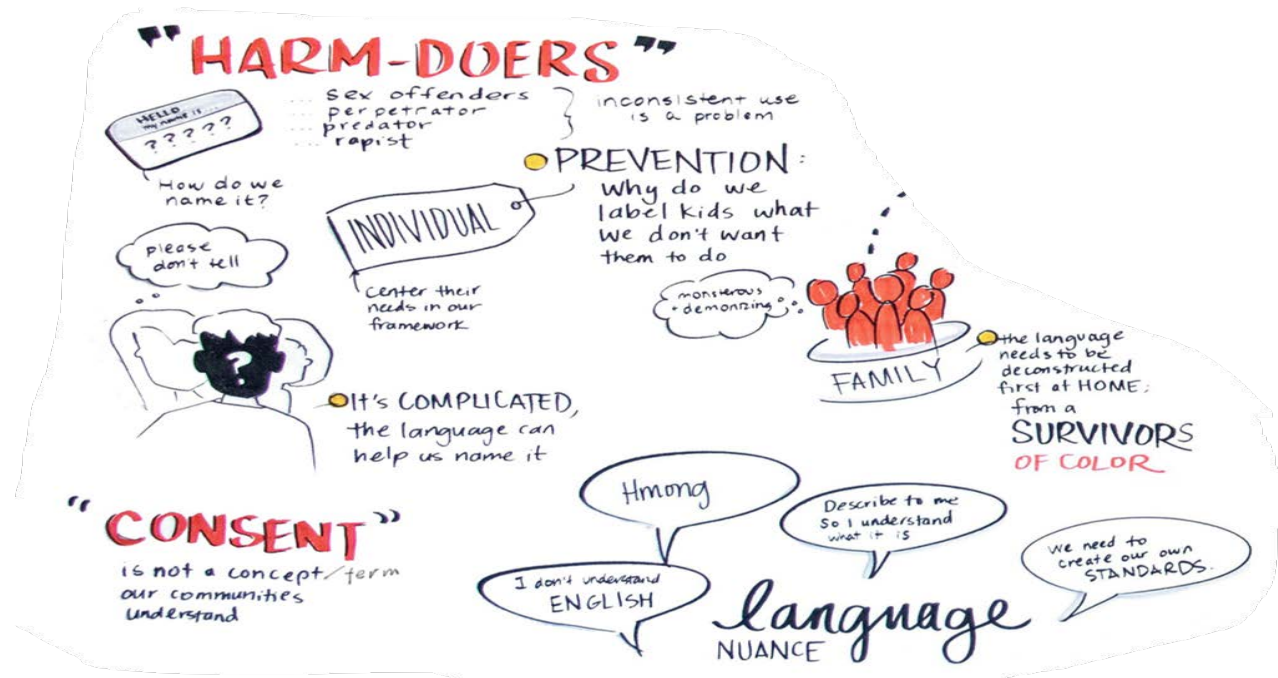
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<sup>1</sup> <http://www.atsa.com/adolescents-engaged-in-sexually-abusive-behavior>

<sup>2</sup> <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/sx-ffndr-rcdvsm/index-en.aspx?wbdisable=true>

## Wisdom from the Conversation

### *Act of Naming: Categorizing: Terms/ Language*



Language is powerful, and the act of naming something new, reclaiming a name or renaming is an important component of social change. As such, naming our own experiences can be empowering, but language that is specific may be triggering or considered pornographic. On the other hand, language that is clinical can adversely mitigate or erase the importance of cultural concepts that are critical to the wellbeing and growth of human beings, such as using “perps” or “predators” instead of harm-doers. Such vocabulary could undermine the violence or limit the possibility of the transformation of an individual. There is also a difference between children and adults who are sexual harm-doers, so there is a need to specify the offense. In addition, inconsistent use of terms raises concerns about the nature and seriousness of the crime. For example, sexual violence is often referred to as “sexual misconduct” on college campuses and “sexual assault” off campus. In the context of sexual violence within the family, where emotions may complicate the naming and thus hamper disclosures, the language we use for the violence, for the survivors, and for the harm-doer can be equally problematic. Furthermore, pressure to label a violent act may not be the same as naming. For example, labeling a behavior or action sexual violence does not always refer to rape. Therefore, should there be different terms for offenders in different contexts for different results? How does naming or categorization then affect accountability and prevention of sexual violence?

To further complicate matters, translation would not work for people whose first language is not English. Addressing the inadequacies of mainstream culture, which is viewed as having the appropriate standard for both victim services and offender treatment, instead of replicating it for victim services and offender treatment in our communities is crucial to ensure services are culturally relevant.

“Consent” is another term that needs to be defined in the API context, especially if there is not one particular word for it. More importantly, when there is social and cultural ambiguity about consensual sex in API communities, naming it accurately for disclosure, reporting, or passing laws can lead to more hurdles. While consent in mainstream society has become a pillar of all healthy interactions, within the API context it is much more difficult to address and define consent as relationships may not always be built on consensual and independent bonds, but are the result of community pressures and collective thinking.

We wrestled with all of these issues at the roundtable as we discussed the complexities of sexual violence terminology. Because systemic power is able to control voices and devalue language, thus affecting disclosures, services, and prevention for sexual violence, we argue that naming must come from the survivor – and that as communities working to end gender-based violence, we must learn to understand this and then to “interpret”.

When we specifically discussed the issue of a harm-doer who is also a survivor, we encountered another challenge with the role of the “namer.” In addition, the roundtable participants discussed issues of accountability and prevention if the survivor’s and harm-doer’s experience with the justice system further undermined the act of violence. This is due to the fact that oftentimes the criminal justice system is more focused on prosecuting the offender rather than holding the offender accountable, leading to offenders taking plea deals and other court sanctioned actions that do not align with the victims’ wishes. Historically, mainstream culture has named acts of sexual violence, but non-white cultures may not use the same language to describe sexual violence or have the language for it at all. Therefore, not only is it vital to expand our power to name, but it is equally important to express the nuances of terms and definitions based on our own stories and community histories and narratives. Also, within the context of intervention we agreed that we needed to form our own standards in programming and services. Organizing at the family level to help build the correct vocabulary would be another foundational effort to address gender-based violence. “Breaking the silence and naming are two different things,” roundtable participants said, prompting a call for further discussions.

## ***Silencing: Shame and Honor in Asian & Pacific Islander communities***



Personal values of shame, honor, and strict gender roles in Asians and Pacific Islander communities serve to silence victims. It then becomes the responsibility of the victim to protect the family and the community, especially minorities being targeted, such as Muslims. Furthermore, when victims come from a targeted minority community, they are now faced with the additional burden of disclosing and potentially placing their community under more negative scrutiny.

## ***Prevention & Intervention: Addressing Behaviors***

*We do not want to be defined by the worst thing we do.*

– Maia

Harm-doers often indicate that they have not understood that they have committed sexual violence, a result of society's acceptance of rape culture and failure to interrupt and end rape culture. As discussed earlier, there is no single definition of acts of sexual violence or sexual violence itself. Advocates seeking to set up appropriate programs and services or organizing for policy change, should discuss language critically as part of the process in order to shift how the work will be carried out to help address sexual violence and provide harm-doers, including those who identify as prior victims, to change. Roundtable participants suggested that deterrence, such as "you are going to jail and know the law," is not enough in most cases because this does not take into account the culture in which the offender is coming from. Authentic transformation must include a deeper analysis of the acts that cause harm, how we want to end the behavior, and how to prevent it. Therefore, education is key, and it includes talking about healthy sex and sexuality; gender stereotypes; and addressing outdated and inconsistent definitions of sexual violence; as well as expressing clearly what had occurred. So, for instance, a vagina penetrated by a penis may be the only act that a harm-doer considers rape, so conscious acts of naming can intentionally inscribe the violence through words and be the impetus for reflection and accountability.

But the important question is: Do harm-doers know that their actions harmed others? Roundtable participants stated that their respective communities would benefit by holding dialogues on what is "right behavior". Exchanges about changing what the harm-doer believes are paramount; for example, a harm-doer says they did not assault the victim, who



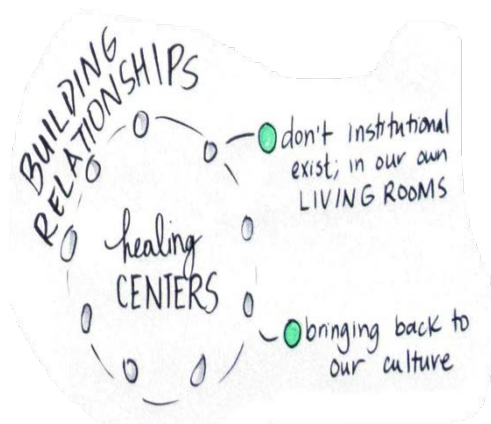
has a very obvious black eye. Furthermore, not processing violence that has occurred is also likely to affect family members, the broader community, and society as a whole. Gender-based violence is insidious. The roundtable participants, however, talked about the next steps: If a harm-doer acknowledges committing an act of violence, would they be willing to then be held accountable for the act? In addition,

harm-doers may not be aware of where to get help; that is, if resources even exist in their communities.

***Prevention: Building Relationships in the Family and Community as Prevention***

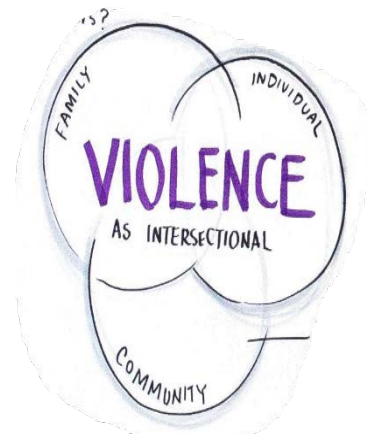
*Patriarchy influences one another.*

- Pheng



The discussion continued to highlight prevention in targeted communities by changing oppressive cultural practices. Roundtable participants talked about centering prevention strategies intrinsically rooted in liberatory community practices such as intergenerational family households, community coalitions, and storytelling. Participants also emphasized relationship-building in the community for prevention as well as for changing cultural norms that cause harm. They added that prevention work is

to “look at the root issues and unaddressed trauma.” How do we foster and bolster those protective factors that are intrinsic to our communities such as intergenerational family cohesion, robust communal bonds, and community accountability? Where did the idea of harming children come into existence? Prevention should be focused on what we already have and not the absence of something. Harm-doers should be persuaded to commit to such efforts even as survivors because they can be the biggest barriers to their own wellbeing and transformation.





## ***Decolonizing the Bedroom: Healthy Sex***

During our conversations about intervention and prevention, one of the roundtable participants pointed out that “we talk about decolonizing so many things, but we don’t talk about decolonizing sex and our sexuality.” It was also suggested that “our bedrooms have



been colonized.” API communities in the United States are made up of immigrants from nations that have been colonized, and this legacy of colonialism continues and manifests in perceptions of beauty, gender roles, sexuality, and intimate relationships. Decolonization is not only the act of dismantling racism and the belief that whiteness is better, but it is also an act of undoing patriarchal practices that support

rape culture in our communities.

Regarding Intimate Partner Sexual Violence, we have to examine more deeply the role of the heteronormative “male gaze” in API communities’ beliefs of erotica, pleasure, sexual vocabulary, consent, and coercive sexual control. For harm-doers in such spaces, sexual education is critical in expanding understanding and changing behavior.

## ***Evidence-based & Importance of Data***

Data about the prevalence of sexual assault in API communities and evidence-based strategies that work for both intervention and prevention are scarce. Therefore, any study that adds to the documentation showing progress in practices is not only laudable and beneficial to the communities but it is also imperative for funding and future programming. According to one of the participants, “the recidivism rate is low when they are provided help/intervention.” Therefore, there is a compelling need for research on recidivism in API harm-doers to ensure comprehensive societal transformation.



## ***Accountability: Justice***

*I have to walk through my own shame. – Pheng*

*The Systems sustain each other. – Anna*

When it came to discussing justice, the roundtable participants stressed the issue of accountability. They said that accountability was about admitting the harm done and that it can “evolve” based on what the victim needs at different times. They also agreed that there is usually a push for a matching account of the sexual violence from the harm-doer and survivor, but then making the survivor “own” the story puts undue burden on the individual. Patriarchy influences accountability, and males have been using not only their gender privileges but also customs and traditions as reasons to uphold rape culture, according to the participants. Accountability also includes systems that do harm, often abandoning both victim and the harm-doer such as the criminal justice system, schools, and faith-based institutions.



Removal or incarceration is not about accountability by many survivors especially those who are from ethnic communities. When an individual is exposed by the media or listed on the sex-offender registry, they take their family and community along with them. The sex-offender registry is an example of a solution created by the system that does not deter sexual violence or hold harm-doers accountable for their act, but rather enacts violence against the harm-doer. Accountability is not about revenge – it is about correcting a harm done and preventing harm-doing, not continuing the harm-doing. Roundtable participants, however, were conflicted on the efficacy of the sex-offender registry, relating the experiences of victims, some of whom believed it was helpful and others feeling it would cause long-term harm.

Roundtable participants urged multi-pronged approaches: Help families carry out age-appropriate sex education at home; discuss with the community what is understood to be sexual violence and accountability; talk with harm-doers about their own beliefs and behaviors because shame a significant causal factor in denying accountability; work with harm-doers’ families in providing guidance and services; and build the skills of survivors to ask for help and accountability.



Broader themes that emerged from the roundtable are the overall movement against gender-based violence and the importance of institutional overhaul. In addition, all participants underscored the need for victim service providers and interpreters who are culturally competent.

## Healing

*Healing is a progression. – Rose*

*What does forgiveness looks like to me, knowing that I won't get the apology? – Anna*

*Accountability has to have a healing aspect to it. – Pheng*

Healing for sexual assault victims is about reclaiming their sense of self, how they identify, and how they walk through the world; it is not about being defined by the worst thing that has happened to the individual or the worst thing they have done. Healing is not a destination or a cure, as is accepted in the field of medicine. It is about feeling whole about where you are at the moment with a supportive network. What then is the intersection of healing with justice and accountability? Healing can be surmised as one example of getting justice. Roundtable participants talked about forgiveness, especially in the context of faith, and accountability with a healing component such as storytelling or bodywork, as other examples of healing.

Participants also recognized that if religion and spirituality are tied to the cause of the harm, they can complicate healing, becoming a barrier or even perpetuate the harm.



## Best Practices Out There



When we dove into the conversation about best practices that are in existence, the questions of the “public health model” and “social justice change model” arose. One or the other, or both? Medical treatment is important but not an overall solution, hence a critical examination of the root causes of sexual violence is necessary. Some examples of best practices are the work of Mia Mingus and the Bay Area Transformative Justice Collective, Ahimsa Collective, and Project NIA. However, because these practices have small budgets and lie outside the mainstream cultural context and because of funding restrictions on services for harm-doers, victim service providers would have to revisit their strategies to ensure advancement, sustainability, and dynamism.

## Action Plan: Time to Act

*Words of wisdom from the participants:*

*Recognize that everyone cannot do sexual assault work.*

*Not everyone can do sexual violence work.*

*Stay in domestic violence work if that is what you are good at.*

NAPIESV plans to hold more roundtables to dig deeper into such issues as sex positivity and over-sexualization of certain communities and its impact on sexual violence; bridge the work on harm-doers and victims by compiling a resource list of providers working with harm-doers and leading a workshop for advocates to be comfortable to talk to harm-doers; organize more workshops on healthy sex; create a document of culturally-specific healing modalities; and claim the word “healing” to give more than the medical meaning of curing an ailment.

### ***Check-out!***

Vince: First time in attending something “like this.” Addressing offenders and victims work. Attended events that are always about victims. Haven’t been to a space where there is a discussion on victims who are also harm-doers.

Nat: Excited to be part of this. Was part of the first roundtable discussion and now, attended the second roundtable discussion. Harm-doers are also in the community. Build and share what was learned from here to NMAFC. More roundtables – venting and healing. Feel less alone and learn from the mistakes.

Anna: Have language in the real time. Learn how to facilitate circles. Loving your story. Being back to Portland.

Rose: As a survivor. Learned from the space. Doesn’t feel judged. Learning that offenders can also be survivor.

Tracy: Hadn’t been in a space like this. Loved listening to the wisdom. Curiosity.

Tonette: Was excited to be part of this conversation. Being able to participate and appreciate.

Maia: Was grateful to be part of this. Learned more about victims. Back and forth. House in order – focus on the communities of color. It’s her job to lead this effort.

Nam: Grateful in community. Lots of care to the topics. Authenticity. Connected to the community. Authentic to be part of the community.

Luz: Amazing job in curating. Who you got in a room? Keep on building community. Showing up for each community. How do I continue to do this work? More work in having conversation. This is something that we need to bring to other CoCs. And more on folks who are like Maia and Vince + survivors.

# DAY 1 OFFENDERS as HARM DOERS



# DAY 1 OFFENDERS as SURVIVORS







# NAPIESV

Roundtable Discussion on Sex Offenders as Harm Doers and Survivors in the API Communities

# ACCOUNTABILITY

DAY 2 AUGUST 13, 2019



## WISDOM

lets make sure people are called out from their roles

## PACE

Need cultural competency re: treatment

There's no word for "FEELING" in Hmong

who owns the story?

we justice people for all harm in a culture

Lots of responsibility calls on survivor

Does it matter WHO this is?

## RACE

is always part of the conversation

Generational differences

History of migration different based on land/region

There's still the elephant in the room

## GENDER & SEXUALITY

toxic masculinity looks diff. still pervasive

## PATRIARCHY

as a foundation plays upon each other

# HEALING



Roundtable Discussion on Sex Offenders as Harm Doers and Survivors in the API Communities

"Go to the place that scares you the most"

SOMATICS

DANCE

we're a BANDAGED factory

breathing

finding ME

ENERGY

Movement makes sense for what survivor bodies need

SELF

Progression

COMMUNITY

Make our community building evidence-based PROTECTIVE FACTORS

JUSTICE HEALING ACCOUNTABILITY

is not linear it doesn't happen immediately

RECLAIM LIFE

reclaim our healing

BEING SEEN

"It's just about ACTIVE LISTEN"

BUILDING RELATIONSHIPS

healing CENTERS

LET'S TALK SEX

we need to LIBERATE our sexuality

SEX TALK

There's a FIXED GOAL is the prescribed treatment "successful?"

ASKING questions

LOSS + GRIEF need to be acknowledged and addressed

DISAPPOINTMENT

SHAME

STORYTELLING

communities of color already doing this

Facilitating both sides in one space

HERE NOT TALKING ABOUT THE GRAY AREA

PATRIARCHY

See as violence less punishable

RAPE GENDER

## **Participants**

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Rosemarie G. Hermoso, Guam Bureau of Adult Protective Services  
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