

# Capture Opportunities to Screen All Youth for Unhealthy Sexual Relationships

Unhealthy sexual relationships are characterized by a lack of equality with regard to respect, choice, and/or power between partners. Unhealthy relationships can occur between youth, authority figures, and older sexual partners. "Statutory rape" is a common name for criminal laws in Alaska designed to protect youth from sexual abuse and unhealthy and unequal relationships.

The American College of Obstetricians and Gynecologists (ACOG) and the American Academy of Pediatrics (AAP) recommends that all youth, female and male, be screened for the risk of unhealthy sexual relationships at every visit. For more additional information please visit the ACOG website at [www.acog.org](http://www.acog.org).

## Remind youth patients that:

- everyone has the right to feel good about themselves;
- feelings of unhappiness, pressure, anxiety or fear may be signs that their relationship is not healthy;
- they have the right to set limits for themselves.

## Assure that clinic staff working with youth are:

- knowledgeable about these issues and about resources in your community that provide for counseling, guidance and protection when needed;
- familiar with Alaska's statutes on sexual abuse of minors and mandatory reporting. Some information about Alaska statutes is printed on the back of this document.

**Screening young adults for risk of unhealthy relationships may include an introductory statement such as:**

**It is important to me that you are healthy and an important part of your health is the relationships you have with others.**

**Before asking youth questions about their relationships remind them that you are a mandatory reporter and required by law to report sexual abuse.**

**Some or all of the following questions may be used to screen patients about their relationships:**

- **Do you have someone special in your life? Someone you are going out with?**
- **Are you now – or have you ever been – sexually active?**
- **Think about your earliest sexual experience. Did you want this experience?**
- **Has a friend, a date or an acquaintance ever pressured or forced you into sexual activities when you did not want them? Touched you in a way that made you uncomfortable? Anyone at home? Anyone at school? Any other adult?**
- **What can you do to help keep yourself safe? Would you like some additional information on how to reduce your risk of sexual assault?**

These questions may be incorporated into your clinic's existing patient intake or history forms.

If you suspect sexual abuse of a minor, or have any questions, please call the Office of Children's Services (OCS) at 1-800-478-4444.

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Department of Health & Social Services, State of Alaska  
<http://dhss.alaska.gov/dph/wcfh/Pages/womens/clinical.aspx>



## Alaska Statutes - Sexual Abuse of a Minor

Information about sexual abuse of a minor can be found in the Alaska Statutes under Title 11: Criminal Law, Chapter 11:41 Offenses against the Person, Article 4: Sexual Offenses:

- Sec. 11.41.434. Sexual abuse of a minor in the first degree
- Sec. 11.41.436. Sexual abuse of a minor in the second degree
- Sec. 11.41.438. Sexual abuse of a minor in the third degree
- Sec. 11.41.440. Sexual abuse of a minor in the fourth degree
- Sec. 11.41.470. Definitions

An offender commits the crime of sexual abuse of a minor in the first degree if:

- (1) being 16 years of age or older, the offender engages in sexual penetration with a person who is under 13 years of age or aids, induces, causes, or encourages a person who is under 13 years of age to engage in sexual penetration with another person;
- (2) being 18 years of age or older, the offender engages in sexual penetration with a person who is under 18 years of age, and the offender is the victim's natural parent, stepparent, adopted parent, or legal guardian; or
- (3) being 18 years of age or older, the offender engages in sexual penetration with a person who is under 16 years of age, and
  - (A) the victim at the time of the offense is residing in the same household as the offender and the offender has authority over the victim; or
  - (B) the offender occupies a position of authority in relation to the victim.

Key terms are defined in Sec. 11.41. 470:

- 1) "position of authority" means an employer, youth leader, scout leader, coach, teacher, counselor, school administrator, religious leader, doctor, nurse, psychologist, guardian ad litem, babysitter, or a substantially similar position, and a police officer or probation officer other than when the officer is exercising custodial control over a minor;
- 2) "sexual act" means sexual penetration or sexual contact;
- 3) "victim" means the person alleged to have been subjected to sexual assault in any degree or sexual abuse of a minor in any degree;
- 4) "without consent" means that a person
  - (A) with or without resisting, is coerced by the use of force against a person or property, or by the express or implied threat of death, imminent physical injury, or kidnapping to be inflicted on anyone;
  - (B) is incapacitated as a result of an act of defendant.

Information in this document may not be relied upon as legal authority and is for informational purposes only. State statutes are subject to change. Information in this document is accurate as of October 7, 2013. Those mandated by law to report child sexual abuse are responsible for knowing and acting on current laws.

Additional information about legislation may be found at: <http://www.touchngo.com/lglcntr/akstats/statutes.html>.

