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To Some Rape Victims, Justice Is Beyond Reach

By JANE GROSS, Special to The New York Times
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Prostitutes and drug addicts are being raped with increased frequency and brutality in the menacing corners of American cities and towns, but they rarely report the assaults, often disappear during an investigation or are disregarded by the criminal justice system.

There are no reliable statistics, but interviews with dozens of counselors and law enforcement officials around the nation all point to the same trend. The police and prosecutors, however, often cannot pursue the cases because of problems that begin in the disordered netherworld of sex and drugs and end in courtroom debates over knotty questions of consent and coercion.

These problems came to light here last month when the Oakland police chief admitted closing rape cases without proper investigation because of cultural bias on the part of the authorities and the need to set priorities in an understaffed department. More than 200 rape cases have been reopened in Oakland, and the sexual-assault unit has been reorganized and retrained.

Advocates for rape victims say prostitutes and addicts encounter similar problems in other cities, and cite these examples: In New Haven, faced with a prostitute dressed for work, the police have said, "What do you expect? Look at you." In Houston, officers have shut their notebooks after a victim said she was raped in a park house. In the Atlanta suburb, victims have been told that

According to advocates of the elimination of all prostitution, **prostitutes cannot consent to engage in prostitution,** therefore even when a prostitute contends she has chosen to work as a sex worker, her consent doesn't count.

She is, according to the prostitution abolitionists, a victim of rape or sex trafficking.

But when prostitutes **are actually victims of rape and report the crime,** the police and prosecutors claim there is a **'question of consent'**- which means they are not likely to pursue or prosecute such cases.

This is a very convenient policy for the cops who rape prostitutes...