

*How Language Helps Shape
Our Response to
Violence Against Women*

Presentation Exercises

**Claudia J. Bayliff
Project Attorney
National Judicial Education Program –
Legal Momentum**

**2014 Idaho Domestic Violence Court
Conference**

Boise, ID

May 2014

For questions or requests for additional information, please contact:

Claudia J. Bayliff
Project Attorney
National Judicial Education Program-
Legal Momentum
101 Lounsbury Place
Falls Church, VA 22046
(703) 532-1134
cjbayliff@cox.net

Appendix B

Exercise: Jastorff Pleads Not Guilty

Jastorff Pleads Not Guilty to More than 30 Counts of Rape

by Jenna Mann, December 28, 2010 6:16 PM

KDLT South Dakota News – NBC Affiliate

http://www.kdlt.com/index.php?option=com_content&task=view&id=6866&Itemid=57

The Sioux Falls middle school teacher accused of fostering sexual relationships with two 13-year-old girls was back in court today. 26-year-old Nicolas Jastorff entered his plea on more than three dozen counts of rape.

Jastorff, a former special education teacher at Patrick Henry Middle School, faced judges in two counties and pleaded not guilty to all 39 counts against him."

Jastorff was first arraigned in Minnehaha County Tuesday morning on 25 counts of fourth degree rape. He is also charged with two counts of solicitation of a minor and two counts of sexual contact with a minor. Later, Jastorff appeared in Lincoln County on an additional ten counts of fourth degree rape.

Jastorff is accused of maintaining sexual relationships with two 13-year-old girls who attended Patrick Henry. According to police affidavits, he would perform sex acts on the two victims in a classroom at the middle school. The documents show he would visit one of the girls at her home during the summer, and the same victim would go to his home in Harrisburg, where the two engaged in sexual activity.

During his arraignment in Minnehaha County, Jastorff's lawyer asked the judge to lower bond from \$1 million to \$50,000, on the condition he would remain under house arrest at his parents' residence in Spearfish and would check in daily with the Spearfish Police Department. The judge denied the request, but did lower bond to \$500,000 cash only.

Jastorff's lawyer did not request bond be lowered in Lincoln County because he said it was **not** possible for Jastorff to make bail in Minnehaha County.

In Minnehaha County, a trial has been scheduled for March 7. The judge has scheduled a jury trial to begin in Lincoln County the next month, on April 7.

35 of the charges against Jastorff are Class 3 felonies. Each is punishable by up to 15 years in prison and/or a \$30,000 fine.

/

VIOLENCE AGAINST WOMEN

Violence against women continues to be a major problem in U.S. society in the 21st century. Our rates of rape, sexual abuse, spouse abuse, and sexual harassment are the highest in the industrialized world.

Each year, according to national crime statistics, more than one-half million women are raped. Half are raped before the age of 18. Contrary to one of the old myths about rape, most of these victims are assaulted by someone they know, including family members and friends. Rapists come from every socio-economic class and racial background. Most have a "normal" appearance; you can't tell if a person is a rapist by how they look.

Annually, millions of girls are sexually abused. Much of this abuse happens to adolescents. But sometimes girls as young as two or three are abused by members of their own family, or other adults in care-giving roles. The high incidence of child sexual abuse is one of the great tragedies of modern American society.

On average, three women every day are murdered as a result of domestic violence. According to the Surgeon General, battering is the leading cause of injury to women in the U.S. More women are injured by partners or spouses than by automobile accidents, athletic injuries, or household mishaps. Sometimes these injuries result in emergency room visits. Domestic abuse is one of the leading causes of emergency room visits by women. It occurs in every socioeconomic class and racial group. Batterers can be middle-aged, twenty-something, or high school students. They can be stockbrokers or truck drivers. Family violence doesn't discriminate by age or profession.

Millions of girls and women suffer sexual harassment in school, in the workplace, and on the street. One national study found that 83% of the girls responding reported being harassed at school. Women and girls of all racial and ethnic backgrounds are harassed by peers, teachers, and employers.

There are no easy solutions to the problem of violence against women. Over the past two decades, services for rape survivors and victims of domestic violence have improved, although funding for these services is often precarious and frequently inadequate to the scope of the problem. There has also been an increase in the number of programs for sex offenders and batterers, although activists in the battered women's movement still maintain that sentences are typically lenient and abusers are rarely held accountable, either by the law or by their school or employer.

While the problem is deep and widespread, better services for victims, more effective treatment of offenders, and an increased focus on prevention through education and community awareness campaigns offers the hope that one day violence against women will not be such a common event, but rather a rare and aberrational occurrence.