

NONCONSENSUAL INSEMINATION: INTIMATE PARTNER VIOLENCE, PATRIARCHY, POLICE EDUCATION AND POLICY

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Nonconsensual insemination is an act of Intimate Partner Violence (IPV). Almost anyone can be a victim of nonconsensual insemination, and offenders can belong to any age group, class, ethnicity, race, gender, sex, or sexuality. Nonconsensual insemination is a pervasive problem that occurs when men are forced to inseminate against their wills, or men inseminate their intimate partners without the partner's express consent. Many people may be victims of nonconsensual insemination over their lifetimes either through coercion, or following consensual unprotected sex that ends unexpectedly or against a partner's wishes. The criminal justice system needs to prosecute offenders under existing domestic violence and battery laws, and also craft specific laws to prohibit all contexts of nonconsensual insemination. Advocates and policymakers should craft these new laws to reduce the problems caused

by nonconsensual insemination, e.g. sexually transmitted infection (STI) and unintended pregnancy, and to increase victims' rights and sexual agency. These specific laws should mirror HIV- and STI-state laws requiring informed consent prior to ejaculation.

Nonconsensual insemination may correlate with patriarchal beliefs and attitudes like other acts of IPV or criminal sexual deviance. Society must approach this problem as a crime, and end victim blaming, increase reporting and police response to nonconsensual insemination, and increase prosecution. Since states have not yet written specific statutes barring all contexts of nonconsensual insemination, existing IPV laws may suffice. More victims are likely to come forward and report the crime as more awareness about this form of IPV develops in society. However, if the police receive a call about nonconsensual insemination, how should they respond?

Society often improperly blames victims for sexual misconduct that occurs in conjunction with unprotected sex. People who have unprotected sex might be wrongly blamed for failing to protect themselves from a sex partner, even though the concept of "unprotected" sex solely ought to refer

to protection from unintended pregnancy and disease transmissions, not protection from unwanted sex acts. If two people never agreed to a specific sex act and the act is performed in contravention of a partner's wishes, then the sex act is illegal. Police who receive a call about nonconsensual insemination may not know how to respond without proper training. Policing is reported to be a patriarchal institution. Society consistently associates victim blaming and gender role assignment with patriarchal values. For nonconsensual insemination, gender role assignment may manifest with expectations that a man may rightfully inseminate a partner who permits unprotected sex, or gender role assignment may suggest that real men should take responsibility for their actions and "man up" even though the child is the product of a sexual assault committed by the woman. Police, who are mostly male, are humans just as susceptible to patriarchal influence as the rest of society. In addition to social influences, however, the police profession calls for brotherhood, aggression, dominance, and other forms of masculinizing behaviors and attitudes that could increase their idealization of patriarchal responses to sex-related and gender-related crime.

These ideas are not new, but these issues'

application to nonconsensual insemination is relatively new. In this article, I present a two-part interview with Dr. Grace Telesco. Dr. Telesco is a retired Lieutenant in the New York Police Department (NYPD). She served for twenty years with the NYPD. She was one of the first proponents of domestic violence education for officers, and she served as the Chairperson of the Behavioral Science Department at the New York City Police Academy. She pioneered domestic violence training in the NYPD and educated officers for many years. I interviewed her about the relationship between policing, patriarchy, and IPV. She provides fascinating insight about the importance of police education on IPV, mandatory arrests, police policy, and patriarchy in policing and society.

In Section II, I review the relationship between patriarchy, IPV, and policing. In Section III, I question Dr. Telesco, report her answers, and analyze her answers within the context of nonconsensual insemination. In Section IV, I present ten brief, hypothetical situations where nonconsensual insemination could occur. Each situation offers distinct evidence that police should consider when determining whether, and how, to charge suspects, e.g. with battery, domestic violence, sexual assault,

etc. In Section V, I conclude by emphasizing the need for police education on nonconsensual insemination.