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Expanding the Definition of Rape

Mia Medina
mia.medina@valpo.edu

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On February 12, 2017, a female college student was sleeping in her boyfriend's dorm room after a night out. When her boyfriend left the bedroom, Donald Ward climbed into the bed where the girl was sleeping, and proceeded to engage in sexual intercourse with her under the pretense that she was having sex with her boyfriend. After this incident, the victim stated she believed she was having sex with her boyfriend. Donald Ward also admitted that he believed the victim thought she was engaging in sexual intercourse with her boyfriend, not himself. On February 2, 2018 in the case of *State of Indiana v. Donald Grant Ward*, the Tippecanoe Superior Court 1 of Indiana decided that Donald Grant Ward was Not Guilty of Rape. The jury decided that this incident should not be considered rape because the victim was conscious and consenting to the sexual intercourse, even though she did not know and was not consenting to whom she was engaging in the intercourse with. It will be argued that the wording of the law should be changed to include Rape by Deception. This change in legislation will expand the definition and crime of rape to include those offenders who have sexual intercourse with someone under extreme false pretenses such as the case here. The consent to engage in sexual intercourse with someone does not transfer to another person when they are engaging in sexual intercourse deceptively and unbeknownst to the victim.