

What is Sexual Assault

Sexual assault is a violent crime in which the assailant uses sex to inflict violence and humiliation on the victim, or to exert power and control over the victim. In the United States, an estimated 1,871 women are forcibly raped daily, equating to 56,916 rapes each month, the highest of any industrialized nation in the world.

Sexual assault can include several kinds of crime: rape, incest, sexual harassment, child molestation, marital rape, exposure and voyeurism. Ninety percent of all rapes are planned and in 87% of the cases the assailant either carried a weapon or threatened the victim with death or bodily injury if he/she resisted. Offenders have other means at their disposal to intimidate. These include the use of force, trickery – takes advantage of some power imbalance, such as age, size, strength, development, knowledge, status, etc. To humiliate, violate and control the victim.

STATEWIDE SEXUAL ASSAULT CRISIS

RESPONSE HOTLINE

1-800-977-5776

Arkansas Coalition Against Sexual Assault

200 River Market Avenue, Suite 100

501-246-3276

1-866-63-ACASA (22272)

www.acasa.us

This project was supported by Grant #2015-SW-AX-0002 awarded by the Office on Violence Against Women, Office of Justice Program, U.S. Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Dept. of Justice.



Confronting Sexual Assault



Facts About Rape

- Everyone is a potential rape victim: female/males of any age, race, class, religion, occupation, education, or physical description.
- Most rapes are planned and often occur in one's home. Many times the offender is a relative, friend, neighbor, or other acquaintance of the victim. A rapist will rape again and again, generally in the same area of town and in the same manner.
- Rape is violence assault that is acted out sexually. It violates not only the victim's personal integrity, but also her/his sense of safety and control over life.
- Most rapists appear to be normal. Most are married and young. They can be of any race, color or economic class.
- Rape victims may range in age from 4 months to 92 years. Rape is an act of force for which everyone must be prepared. People of all ages, socio-economic groups, neighborhoods and lifestyles can be victims.
- There are ways to reduce the risk of another assault and increase awareness, sensitivity and safety. For example, there are self-defense classes, which teach how to be alert, fend off an attack, and aid others in crisis.

If You Are Raped:

- Go to a friend's house or somewhere you can get emotional support.
- Seek medical treatment. DO NOT douche, bathe, shower, eat or drink anything, or change clothes before you go.
- Report the rape to authorities (this does not mean that you have to agree to press charges).

- Seek counseling. Even if you don't report the rape or press charges, you should contact your nearest sexual assault or rape crisis center for information about counseling. Their services are free and confidential.



Why Do I Need Medical Attention?

What is the sexual assault exam?

It is a physical examination performed by medical personnel for the purpose of collecting legal evidence. It is not a medical treatment. The presence or absence of physical evidence does not prove whether a person has been sexually assaulted. Rather, it provides supportive evidence to be used during the legal proceedings if the case is prosecuted.

Who pays for the exam?

Medical care such as treatment and counseling may be paid for by the Crime Victim's Compensation Fund. Someone at the hospital or your local/victim witness office or your sexual assault advocate will be able to help you obtain and fill out these forms.

Will I need any follow-up?

Following any sexual assault, two medical issues must be addressed: The possibilities of pregnancy and sexually transmitted diseases and way to protect yourself against

these risks. Follow-up instructions will be given to you by the attending medical personnel.

The Legal Process

If I decide to prosecute what must I do?

Once you have made this decision, you will be asked to give the law enforcement agency handling the case a written statement telling them what happened and give a description of your offender.

After I give the statement, what happens?

If the offender has not already been arrested, the police will make a report of the offense and take it along with you statement, to the assistant district attorney, who is responsible for seeing that the charges are properly files. Once the charges are files, an arrest warrant will be issued. If the offender has already been arrested, the District Attorney's office will file formal charges as soon as possible.

Will the offender be able to get out of jail on bond after being arrested?

It is possible that the offender may be able to get released from jail on bond. A judge considers many factors in setting the amount of bond. Bond can only be denied if the district attorney request that bond be denied because the defender was already out on bond for a felony or because the defendant has been previously convicted of felonies.

What happens after the charges are filed and an arrest was made?

In Arkansas, a defendant has the right to a pre-trial hearing to determine if there is enough evidence for a Grand Jury to formally charge the offender with the crime. This happens only occasionally. If the defendant request one, however, you may be asked to testify by the Assistant District Attorney.

Will I have to testify before the Grand Jury, and if so, when?

In most cases, you will not have to testify. If you are asked to testify, an Advocate may go with you to the District Attorney's Office to help you prepare for this. Grand Jury proceedings are secret and no one but the Grand Jurors and the District Attorney will hear your testimony.

What happens if there is an indictment?

The case will be set for trial.

When will my case be tried?

If the defendant is still in jail, the case must be tried within 90 days, unless he/she waives the right to a speedy trial. If not in jail, it may be from 3 to 12 months before the case is tried because of the heavy caseload in many courts.

TARGET PRINTING PROOF FOR YOUR APPROVAL