



sexual assault

**No one deserves to be sexually assaulted.
Most victims are sexually assaulted by someone they know.
This handbook provides information on sexual assault and available resources.**

This handbook is meant to give you information about sexual assault and the services available to victims of sexual assault. If you would like to talk to someone about how you are feeling, what your options are, or how to learn about specific services available in your area, please call the National Sexual Assault Hotline at 1-800-656-HOPE (4673) or log on to www.rainn.org



The Idaho Coalition Against Sexual & Domestic Violence engages voices to create change in the prevention, intervention, and response to domestic violence, dating violence, stalking, and sexual assault.

Table of Contents

- 4** What is Sexual Assault?
- 5** Why Me?
- 6** Common Reactions Following an Assault
- 7** What Next?
- 10** Civil Legal Remedies
- 13** Idaho Crime Victims' Rights Act
- 15** For Families and Friends
- 17** Know the Facts about Rape
- 18** Information & Resources

What is Sexual Assault?

Sexual assault is any behavior or contact of a sexual nature that is unwanted or makes a person uncomfortable. Sexual assault occurs any time a person is forced, coerced, and/or manipulated into any unwanted sexual activity. People of all ages, all economic classes, all races, and all levels of education can be victims of sexual assault.

Sexual assault includes a range of behaviors which may take the form of degrading verbal comments, unwanted touches, or invasions of space. Some forms of sexual assault are against the law (for example, rape) and others are not (for example, cat calling). However, even noncriminal forms of sexual assault are unacceptable and can have an impact on the people the behavior is directed towards. With any type of sexual assault, there is a lack of respect for the individual who was or is being abused.

Why Me?

Are you wondering why you were sexually assaulted? This is a question that many individuals struggle with after a sexual assault. It is normal to want to find a reason why the assault happened.

Sometimes victims of sexual assault begin to blame themselves. You may be wondering about your own actions – could you have done something differently that would have prevented the assault from happening? You need to know that nothing you did caused the assault. No one deserves to be sexually assaulted. Sexually assaulting someone is a choice made by the offender. Responsibility and blame for the sexual assault needs to be placed where it belongs – with the person who chose to sexually assault you.

Common Reactions Following an Assault

There are a variety of ways a person may be affected following a sexual assault. Every person reacts differently to trauma; there is no right or wrong way to react. Replaying the incident and wondering what you could have done to stop the assault is normal. Know that you reacted appropriately and did the best you could to survive the assault.

The following is a condensed list of other reactions you may or may not experience after a sexual assault:

- **Physical Reactions:** change in sleeping patterns, nightmares, headaches, loss of appetite or overeating, stomach problems, muscle tension, lack of concentration, impaired memory, and/or increased use of drugs or alcohol.
- **Emotional Reactions:** denial, fear, sadness, anger, guilt, shame, embarrassment, flashbacks, hypervigilance, mood swings, irritability, depression, and suicidal thoughts. You may feel very upset, very calm, or anything in between.
- **Social Reactions:** fear of being in public or social situations, fear of being alone, withdrawing from friends and family, difficulty trusting others, trouble with physical intimacy in relationships, and feeling isolated from others. It is important to remember that any of these responses is normal and appropriate after experiencing an assault.

What Next?

There are a variety of options that exist if you have been sexually assaulted. Possible options include:

- **Criminal Action:** You have the right to file a police report if a sexual assault crime has occurred. The length of time that has passed since the sexual assault will determine what may happen next. If you report the assault to law enforcement you may be assigned a victim witness coordinator who will assist you through the criminal justice process. Victim witness coordinators support victims of crime with resources to help them heal from their trauma and assist victims through the criminal justice process to lessen any revictimization. As employees of the criminal justice system, victim witness coordinators have limits on confidentiality and may need to share information you disclosed to them with other team members such as an officer, detectives, or prosecutor and it may be passed on to the defendant through the defense attorney. This is especially important if you share information regarding your safety, a medical emergency, when the information relates to child abuse and/or when the nondisclosure of the information could interfere with the investigation or prosecution of the case.

- **Medical Care:** You may need or want to seek medical attention for injuries or to ensure that you are okay. Victims of sexual assault have the right to access medical care. You may choose to go to a hospital for medical care. However, if you choose to go to a hospital, the hospital may contact law enforcement to report that you are a victim of a crime. If the assault is recent (usually within 96 hours), the hospital may perform a forensic exam to collect evidence of the assault to assist with possible prosecution. Forensic exams are lengthy, usually ranging between 3 and 6 hours, and are performed by a physician or sexual assault nurse examiner known as a “SANE” or “SAFE” nurse. The exam involves the collection of bodily fluids and an examination of the oral, anal, and vaginal cavities. This exam may be paid for by the Idaho Crime Victims’ Compensation Program. You should be aware that if you have private insurance, your insurance may be billed for the exam prior to being covered by Victims Compensation. The medical bill you or your insurance company receives may indicate that services were for a sexual assault exam. You can also access medical care through a personal physician, Planned Parenthood, or your university health services office. Forensic exams cannot be done at these agencies, but you can have any injuries treated and be tested for sexually transmitted infections, including HIV and Hepatitis B and C.

- **Advocacy:** You may choose to work with a local advocacy program. In Idaho most advocacy programs usually serve both victims of domestic violence and sexual assault. Advocates at community-based advocacy programs are bound by confidentiality and will not report the assault to law enforcement or the hospital unless you choose to report. The exception is when the victim is a minor or vulnerable adult and a mandated report is necessary. Advocates can help you understand what to expect if you pursue criminal action, can assist you in safety planning, and can provide referrals to other service providers. There is no cost associated with accessing help from an advocate.
- **Counseling:** You may choose to speak with a counselor. You may be able to access counseling through your employer’s employee assistance program, your university health center, local advocacy program, or through a private referral. Your local rape crisis center, advocacy program, or your physician may be able to give you a list of counselors skilled in working with sexual assault victims. You may also be able to access counseling through your place of worship. If the assault was reported to law enforcement, the cost of private counseling that is sought as a result of crime victimization may be covered by Idaho Crime Victims’ Compensation. For more information call 1-800-950-2110 or go to <http://www.crimevictimcomp.idaho.gov/benefits.html>

Civil Legal Remedies

You may want to pursue civil legal remedies to stabilize your life as a result of social or economic problems caused by the sexual assault. A civil attorney may be able to assist you with the following legal issues:

- **Privacy:** An attorney may be able to assist you in protecting your right to privacy by requesting notice from third parties (for example, medical care providers, counselors, and advocates) if a subpoena for your records is received, challenging subpoenas received by third parties, and making sure that your service providers understand the laws governing your privacy.
- **Safety:** An attorney can work with your school, landlord or local housing authority, and employers to create safety plans and/or request accommodations to increase your safety and well-being.
- **Housing:** An attorney may be able to negotiate with your landlord or local housing authority to allow you to terminate your lease or transfer your lease to a different location. You have the right not to be discriminated against in housing because you were a victim of sexual assault; an attorney can help you enforce this right.

- **Employment:** You have the right not to be discriminated against in your workplace because you are a victim of sexual assault. An attorney can help you enforce this right with your employer. An attorney can also work with your employer to get disability leave; unemployment insurance; vacation, sick or personal leave; accommodations; enhance the safety of your work environment; or a transfer of yourself or a perpetrator or dismissal of the perpetrator.
- **Education:** As a consequence of the assault you may have missed or dropped out of school, not been able to maintain your grades, lost financial aid or tuition assistance, or experienced other interference with academic, social, and cultural experiences. An attorney may be able to assist you by advocating with your school to make accommodations to assist you in these areas. Additionally, an attorney may be able to represent or assist you in a student disciplinary action against the offender and enforce the rights you have under federal law.

- **Immigration:** As a victim of sexual assault, you may be entitled to a U-Visa, which allows victims of certain crimes to stay and/or work in the United States (and can lead to permanent residency) if they assist in the investigation or prosecution of a crime. Additionally, a private attorney may be able to assist you in working with immigration officials to allow you to stay in the United States to finish school or continue at your job. And if you file a civil legal action, immigration status is not relevant to determining civil liability; it is not discoverable. A civil attorney may assist you in ensuring that your legal status is not used against you.
- **Financial:** You may have experienced a financial loss as a result of the assault, including a loss of wages and payment for medical bills and counseling. An attorney may be able to help you apply for public assistance and can help determine if you can hold a third party liable for your assault and recover monetary damages.
- **Crime Victim's Rights:** You can hire an attorney at any time to assist you in navigating the criminal justice system and enforcing your rights under the Idaho Crime Victims' Rights Act. A private attorney cannot bring criminal charges against the offender; the prosecutor in the location where the crime was committed is responsible for filing the criminal charges.

Idaho Crime Victims' Rights Act

Article 1, section 22 of the Constitution of the State of Idaho, referred to as the Idaho Crime Victims' Rights Act, affords all victims of crime certain rights within the criminal legal system.

Each individual who is a victim of a crime has the following rights:

- To be treated with fairness, respect, dignity and privacy throughout the criminal justice process.
- To timely disposition of the case.
- To prior notification of proceedings and, upon request, to information about the sentence, incarceration, and release of the defendant.
- To be present at all criminal justice proceedings.
- Communication with the prosecution.
- To be heard, upon request, at all criminal justice proceedings considering a plea of guilty, sentencing, incarceration, placing on probation or release of the defendant unless manifest injustice would result.

- To restitution, as provided by law, from the person committing the offense that cause the victim's loss.
- To refuse an interview, ex parte contact, or other request by the defendant, or any other person acting on behalf of the defendant, unless such request is authorized by law.
- To read presentence reports relating to the crime.
- To present a Victim Impact Statement.

For more information regarding the rights of crime victims and witnesses in Idaho, log on to the Idaho Attorney General's office website at http://www.ag.idaho.gov/victimAssistance/victimAssistance_index.html

For Families and Friends

Sexual assault is a devastating experience for individuals who were assaulted and those close to them. Family members and friends experience a wide range of emotions and reactions after someone they love is assaulted.

Common Reactions

Understanding that you are experiencing some of the same feelings as your loved one is important. These feelings and reactions are normal.

- **Loss:** You may experience a sense of loss because the person you care about has been changed by this experience and life as you know it may also be changed for awhile.
- **Revenge:** Wanting to find the perpetrator and seek revenge is a common feeling or urge for those close to a victim. Your feelings of rage and wanting to hold the perpetrator accountable are completely understandable; however, acting on this urge will not be helpful to a victim. Many victims experience added stress when these situations arise because they fear for the safety of their loved one. Deciding to act on feelings of revenge or rage can make a victim feel powerless all over again. Finding alternative ways to release your anger is important to your wellbeing and that of your loved one.

- **Blaming:** Sexual assaults may occur under circumstances where the victim was involved in activities that others may disapprove of (drinking, going to a party, etc.). Keep in mind that any decision to participate in these activities is separate from the sexual assault. There is no behavior or circumstance that ever justifies anyone being sexually assaulted by another person.
- **Guilt:** You may feel guilty that you were not able to protect your loved one and put extra effort into protecting her. It is important to talk to your loved one about your feelings. Your concern for your loved one's safety may be appreciated, but over-protectiveness and restricting her freedom may be interpreted as mistrust or blame for what happened. One of the most important steps for victims is to regain a sense of power over choices and actions in their lives. After an assault, a victim may become easily upset when others make decisions for her.

The Information & Resources section of this handbook contains a list of resources for you and your loved one.

Know the Facts about Rape

- In the United States, 1 in 6 women and 1 in 33 men report experiencing an attempted or completed rape at some point in their lives.
- A rape occurs every 2.5 minutes in this country.
- Approximately 73% of rapes are committed by someone known to the victim.
- Less than 39% of all sexual assaults are reported to law enforcement.
- The most common reasons given by victims for not reporting rapes are the belief that it is a personal or private matter, and that they fear reprisal from the assailant.
- According to the 2009 Idaho Youth Risk Behavior Survey, 10% of Idaho students have been forced to have sexual intercourse when they didn't want to.

Information & Resources

RAINN (Rape, Abuse, Incest National Network)

www.rainn.org or 1-800-656-HOPE (4673)

RAINN provides free, confidential assistance 24/7 to victims of sexual assault. This hotline will connect you with a local program that can provide assistance. RAINN is multilingual via phone and the RAINN website has a “chat” feature that victims can use to talk with an advocate.

National Domestic Violence Hotline

1-800-799-SAFE (7233)

The National Domestic Violence Hotline provides free, confidential assistance 24/7 to victims of domestic violence. This hotline will connect you with a local program that can provide assistance.

Idaho Coalition Against Sexual & Domestic Violence

1-888-293-6118

www.engagingvoices.org

The Idaho Coalition website has additional information on sexual assault as well as a list of rape crisis centers located throughout Idaho that can assist you.

Idaho Legal Aid Services

www.idaholegalaid.org

Idaho Legal Aid Services may be able to provide victims of sexual assault civil legal assistance. The Legal Aid website has the list of their offices and phone numbers throughout the state.

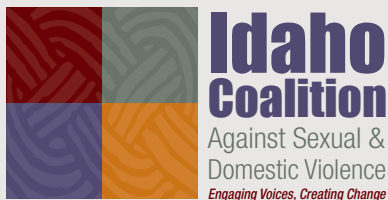
Idaho Volunteer Lawyer Program

1-208-334-4510 or 1-800-221-3295

Idaho Volunteer Lawyer Program may be able to provide you free civil legal assistance on the civil remedies on page 10 - 12.

If you are having difficulty finding a civil attorney to pursue civil legal remedies, please contact the Idaho Coalition Against Sexual & Domestic Violence at 1-888-293-6118.

Contact Your Local Program:



300 E. Mallard Drive, Ste. 130, Boise, ID 83706 • 1-888-293-6118 • www.engagingvoices.org

This project was supported by Grant No. 2010-MUAX-0020 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice, Office on Violence Against Women.