

A Survivor's Booklet

Texas Association Against Sexual Assault

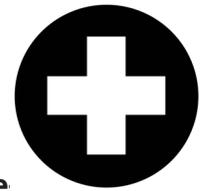
If you are assaulted:

●Get to a safe place. ●Do not shower, bathe, douche, wash your hands, brush your teeth, or use the toilet. ●Don't change or destroy clothing. ●As hard as it may be not to clean up, you may destroy important evidence if you do. ●Get medical attention as soon as possible. ●Contact a friend or family member you trust or call your local Rape Crisis Hotline for support and information.

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Reading this will help.

Emergency rooms of hospitals are busy places. It would be nice to say that you will be treated immediately, but this is not always the case. It may be some time before you are treated. You may wish to read this booklet and decide whether or not to report the assault to law enforcement. You may also wish to notify someone who can help you or be with you. You may want to ask someone to bring you a change of clothes, because your clothing may be needed for evidence.



There are four important reasons why you need medical attention:

- 1** To determine if you have been injured in any way. Following an assault, the survivor is frequently in a state of shock and may be totally unaware of any injuries.
- 2** To take the first step towards regaining control of your life.
- 3** To be tested for and to discuss treatment and prevention options available in regards to sexually transmitted diseases and pregnancy.
- 4** To collect medical evidence for possible further prosecution if and when a suspect is caught. It is vital that this evidence be collected *as soon as possible*. It will be destroyed as time passes and you begin to resume everyday activities (eating, drinking, urinating, bathing, etc.)

ANY WAIT, no matter how short or how long, may be uncomfortable. You may want to use this time to concentrate on yourself and your health. You are the survivor of a sexual assault and you have the right to whatever medical treatment you need.

The questions you will be asked:

Why are you here?

Name

Address

Age

Occupation

This is very important information which will be used to begin your medical report. Although it seems trivial after what you have been through, please provide as much information as you can.

You may find it difficult to explain your needs to the nurse. Although you do not need to give the nurse all the details of the assault, **you will have to say you were sexually assaulted in order to receive the proper treatment.**

You may also be approached by a social worker or victim advocate who will want to listen to your needs or fears and help in whatever way possible. The social worker or victim advocate may be accompanied by a registered nurse. They will ask questions in order to determine what treatment is necessary for you.

You have the right to be accompanied through each medical procedure by the social worker, victim advocate, or by a friend or relative of your choice.

You also have the right to choose total privacy during the emergency room treatment. This means that you can ask anyone other than the necessary hospital personnel to leave the room during the examination.

You are the evidence:

In Texas, you must make a report to law enforcement before evidence will be collected. This is because the law enforcement department will be charged for the collection of evidence. Some hospitals are willing to collect and store the evidence without a police report if you pay for the evidence collection. This way if you decide to report later, the collected evidence may be useful. This is not common, but you may want to ask about this option.

Law enforcement believes that it is best for victims to report as soon as possible. Many victims who do not immediately report sexual assault change their minds and report later.

Many victims choose not to report the assault at all.

The medical treatment you may receive should include the following but not necessarily in this order:

- *Your blood pressure, pulse, temperature and your medical history--allergies, medicines, last menstrual period, etc.--should be taken. At this time you should be told what to expect during the examination. If not, ask someone to explain it.*
- *Before the examination you will be asked about the sexual assault. It is very important that you tell someone what sexual acts were performed (vaginal intercourse, oral copulation, anal intercourse, or any other sexual acts). You may want to point to pictures rather than talk in detail about*

what happened. You may not understand the questions or you may feel embarrassed when you answer them.

It is alright to feel uncomfortable.

Let the nurse or doctor know of your discomfort and feel free to ask questions as needed. You are not expected to know all the medical terms, so do not be afraid to ask for explanations.

- After all the paperwork is completed, you will be asked to undress. If you are wearing the clothes you wore at the time of the assault, these clothes will be taken to be used as evidence. The nurse should put these items in separate paper bags. The paper bags will be sealed and given to the police. You will most likely not receive your clothes back, although it may be possible after the investigation and/or prosecution are complete. Often the hospital or rape crisis center volunteer will have clothes that you can wear home. It is better to bring a change of clothes from home, if possible.

- The exam will take about 2-3 hours. As part of the exam, swabs, hair samples and blood samples will be taken. In addition, photographs of injuries may also be taken. Collection of evidence may not always be comfortable, but it is important. Feel free to ask for a break if you need it.

What will the exam be like?

Before beginning the exam you will be asked to sign a consent form allowing medical evidence to be collected and then turned over to law enforcement. Medical evidence will not be collected if you do not sign the form. If you need help in filling out the form or have any questions, be sure to ask someone.

Now the doctor or a nurse specifically trained in sexual assault examination (sexual assault nurse examiner or SANE) will tell you about the exam and what to expect. They should also tell you that it is your right, and the law, to have a support person present during the exam if you desire.

After you have talked about the exam they will ask you to give a brief description of the assault so they will know where to look for injuries and evidence.

Now the doctor or nurse will listen to your heart and lungs, press on your abdomen and back, examine your chest, and check for general signs of injury. If you have any areas of pain,

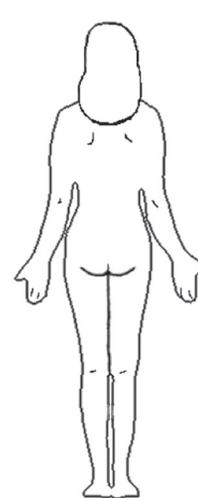
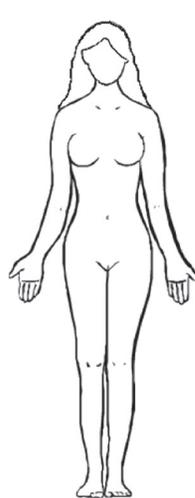
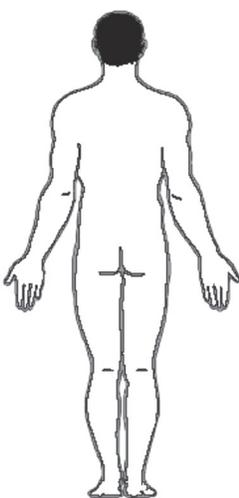
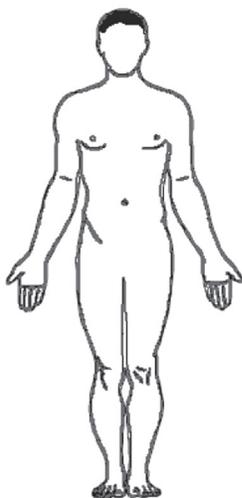
soreness, or discomfort, be sure to mention them to the doctor or at this time. Marks and bruises should be noted on your medical chart.

You will then be asked to remove your clothing while you stand over a large piece of paper. The piece of paper is to catch evidence (loose hairs, debris, etc.) that may fall from your clothes. The nurse will help you put each piece of clothing into a separate paper bag.

You will be provided with a hospital gown and the nurse or doctor will start collecting evidence. Evidence is collected through the following means:

1. oral swabs
2. head hair combings
3. pulled head hair samples
4. debris collection (collection of dried blood, semen, saliva, hair, dirt, leaves, fibers that may be on your person.
5. anal swabs
6. vaginal or penile swabs
7. pubic hair combings
8. pubic hair samples
9. fingernail scrapings
10. blood sample
11. saliva sample

Collecting swabs is typically painless and involves merely wiping cotton swabs over the area where the evidence



(semen, blood or saliva) may be. Collecting hair samples may be uncomfortable since the hairs typically need to be pulled.

Following the general examination, a pelvic (or internal) exam will be done on female victims. The exam for male victims will be similar to the one for female victims, except for the vaginal examination.

For females, the pelvic exam will be almost identical to the exam you have probably received from your own doctor. If you have never had a pelvic exam, be sure to tell the doctor or SANE.

You will be asked to lie flat on the examining table and place your legs in metal foot-rests with your knees apart. You will be asked to slide to the edge of the examining table. A speculum will be inserted to help the nurse or doctor take a swab and see any tears or bruising. Try to relax your stomach and back muscles and breathe slowly and deeply through your mouth. This will help you to relax your muscles and make the exam more comfortable.

Many women find this position very distressful and uncomfortable, especially following a sexual assault. Since this procedure may be very similar to the assault you have just endured, you may find yourself losing control of your emotions. It is alright to cry and let your feelings out. You may want to ask the doctor or SANE to wait a moment before the examination continues.

Even though it may seem like hours, the pelvic exam is usually over in 5 to 10 minutes.

You will be given information about sexually transmitted infections (STIs). You may also be tested for STIs, but it is too early to test for the tests to pick up any STIs that were transmitted during the sexual assault. However, medication may be given to prevent STIs at the time of the exam. Testing and treatment of STIs will depend on your individual circumstances.

Female victims of child-bearing age should be asked to give a blood or urine sample for a pregnancy test. You should also be offered options for the prevention of pregnancy. If those options are not offered, ask someone about them. Chances of becoming pregnant are small (about 5 times out of 100) but you may want to talk about possible pregnancy and your options with a rape crisis counselor.

If you are under the influence of alcohol or drugs at the time of the attack, you may feel that your ability to resist the assault was impaired. You can ask the doctor or nurse to take a blood and urine test for traces of alcohol or drugs.

Sometimes bruises show up 6 to 21 days after the assault. If bruises appear, call the sexual assault investigators handling your case so pictures can be taken.

Follow-up treatment:

Your follow-up appointment should be made six weeks after your emergency room examination. This appointment is necessary for taking a sexually transmitted disease test and/or another pregnancy test.

This follow-up appointment can be made with your personal doctor, a women's clinic or a free clinic, as well as a hospital, but it must be made to insure that you receive the appropriate medical treatment.

Emergency Contraception

Emergency contraception, more commonly known as the "morning-after pill," is a safe and effective medication for the prevention of pregnancy after unprotected intercourse or rape. Sold under the brand names of Plan B and Preven, it is a high dose of the standard birth control pill.

Emergency contraception dramatically reduces the chances of getting pregnant following a sexual assault. The use of emergency contraception reduces the chances of pregnancy by 75 to 89 percent if taken within the first 72 hours after an assault. But timing is important, the sooner emergency contraceptives are administered the more likely they are to prevent a pregnancy.

The emergency contraceptive pills are given in two doses, 12 hours apart. The number of pills in a dose depends on the brand, but you should always be sure to use the same brand for both doses.

Side effects include nausea and vomiting, but usually taper off within one or two days after the second dose has been taken. The risk of nausea and vomiting is lower with the progestin-only pill (Plan B).

Texas hospitals should provide you with an information sheet that includes information about emergency contraception. The hospital may or may not be willing to provide emergency contraception. As an alternative, they may provide you with a prescription to be filled outside the hospital or a referral to another physician who will write you the prescription.

You may need to ask specifically for emergency contraception if it is something you want. You may also call a confidential hotline which maintains a list of emergency contraception providers across the country:

Toll-free hotline: 1-888-NOT-2-LATE

Website: www.not-2-late.com

SANE Nurse

What is a sexual assault nurse examiner?

During the medical exam, you may be attended by a sexual assault nurse examiner, or SANE. This person is a registered nurse who has been specially trained to do a medical/forensic exam on children and adult survivors of sexual assault. SANEs are trained to provide compassionate, sensitive and comprehensive care to survivors and are prepared to testify in court proceed-

ings if necessary.

The SANE may be certified by the Texas Office of the Attorney General after completing a training program of approximately 64 hours. Many of these nurses work on an "on-call" basis. Whenever a sexual assault survivor comes to the emergency room of a hospital, the staff pages the SANE on call. While the staff may treat urgent physical injuries immediately and make the survivor comfortable, all additional services are provided by the SANE when she arrives.

The survivor who is examined by a sexual assault nurse examiner is ensured that s/he is working with

an individual who has up-to-date information on all aspects of care and is also familiar with the legal system and can give the survivor accurate information about her/his options and what happens if s/he does decide to report the rape. The nurse can help her/him anticipate potential problems and avoid them when possible. Most importantly, the survivor has someone available who understands what s/he is going through and is there to help.

If you think you have been drugged

Listen to yourself. Do not doubt what you feel. Don't listen to acquaintances who may have been around you that night who tell you that you were "really messed up." Drugs like Gamma Hydroxybutyrate (GHB) and flunitrazepam (Rohypnol) will make you seem drunk or high when you have had nothing or very little to drink. Go with your instincts. You know when something has happened to you.

Stage One: Prepare. Call a friend. You'll need someone with you that can think clearly because chances are the drugs are making it hard for you to think. If you have to go to the bathroom, collect some urine. Put it in the cleanest jar or cup you can find and rubber band some plastic around the top. You are going to bring this to the hospital with you. This might sound weird or gross, but if you choose to press charges later, you will need that evidence. Drugs used to facilitate rape leave the body quickly and they are rarely found for evidence purposes. Do not clean up in any way like bathing, douching, brushing your teeth, drinking or eating anything, or changing clothes. Washing will destroy evidence.

Stage Two: Call.

To find the nearest rape crisis center, call 1-800-656-4673, the National Sexual Assault Hotline operated by the Rape, Abuse, Incest National Network (RAINN), or look in your local yellow pages. When you call your local rape crisis center, tell them you think you have been drugged and raped. You also need to ask some specific questions:

1. *Is there a specific hospital that you should go to?* Some hospitals have SANEs or other staff who have been specially trained in sexual assault exams. They will make the experience of the emergency room visit less traumatic.

2. *Can an advocate from the crisis center meet me at the hospital?* All rape crisis centers have advocates on call 24 hours a day who are prepared to meet you at the hospital and will help you through this process.

3. *Does someone, either the crisis center or you, need to call the hospital and let them know that you are coming?* Many SANEs work on an "on-call" basis. A phone call ahead of time may mean less waiting time for you.

4. *Will law enforcement be called?* If you are a minor (age 17 or under) the hospital is required by law to contact the police. If you are 18 years or older, the hospital is not

legally bound to notify the authorities; but some hospitals have policies requiring notification of all sexual assaults to the police. You do have the right to refuse to report your attack even if the authorities are called. Know this: if you don't want to make a report you will not be eligible for reimbursement of hospital expenses through crime victims' compensation. While it is unlikely that the accused will be prosecuted if you make a report and then later change your mind, it is a possibility. If you are unsure of making a formal report, consider a third party report. You won't be able to collect this evidence later. Hang in there, you can make it. You have all the evidence to give them. You have become your own advocate.

Stage Three: Go.

Now it's time to go to the hospital. Have that friend or someone else drive you, those drugs can make you sick and groggy. Bring the urine with you to be tested. Your main concern is getting to the hospital to get checked out. The nurses and the advocate will do their best to take care of you.

How could this happen to me?

There are many notions of what rape is, who gets raped, who the rapist is, and where such crimes occur.

Many of us have never really thought about attacks until they happen to us.

And after a sexual assault, many of us still think, "If only I had...I wouldn't have been raped."

Maybe if we knew some of the facts about rape, we would learn that we as victims and survivors are not to blame.

Understanding the facts can help you deal with sexual assault. You can discuss your own feelings and ideas about rape with rape crisis counselors who know the realities of sexual assault.

MYTH	REALITY
It could never happen to me.	Everyone is vulnerable to sexual assault. Rape is perpetrated against all types of people including females and males of any age, race, class, religion, occupation, educational background or sexual orientation.
Most rape occur as a "spur of the moment" act in a dark alley by a stranger.	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 commit multiple rapes, generally in the same area of town and in the same manner.
Rape is primarily a sexual crime.	Rape is a violent 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 their life.
Women secretly want to be raped.	Fantasy is not the real thing, and women who do fantasize about rape usually think of rape only as aggressive sex. These fantasies do not reflect what rape really is: a violent, often brutal, terrorizing and humiliating assault. Regardless, fantasizing is just that: a fantasy. It does not mean that a woman wants the fantasy to occur in reality.
A rapist is easy to spot in a crowd.	Most rapists appear to be average persons. Most are married and young. They can be of any race, color or economic class.
Most rapes are interracial.	The overwhelming majority of rapes involve persons of the same race or culture.
Rape in a non-violent crime.	Rape is a violent crime - 87% of rapists either carry a weapon or threaten the victim with violence or death. Forcible rape is increasing in this country, more than any other violent crime.
Only young women are raped.	Rape occurs to victims of all ages. In the U.S., there are reports of rape victims ranging in age from just days old to close to 100. People of all ages, socio-economic groups, neighborhoods and lifestyles can be victims.
Some victims are "asking for it" by the way they dress or by their actions.	As stated above, most rapes are planned. No person asks to be hurt or degraded. Research shows that rapists are looking for available, vulnerable targets, not victims who dress or behave in a particular way.
It is not really possible to rape a non-consenting adult.	It is indeed possible to rape a non-consenting adult. Fear of death, threat of violence, or physical brutality can immobilize anyone.
As long as you stay away from dangerous places and dangerous people you will not be raped.	There is no way to guarantee that sexual assault will never happen to you. There are ways to reduce risk and increase safety, but despite being prepared there are many factors which are not in our control. No matter what the situation, it is never the victims fault!

What are my rights?

Many survivors of violent crimes, and especially survivors of sexual assault, experience emotional shock. At this time it is important for you to know that victims can become survivors. Part of this process is making every attempt you can to take control of your life again and being certain that you are receiving the care, information and rights to which you are entitled. By exercising your rights you are, in effect, taking charge again.



AS A CRIME VICTIM OR WITNESS:

YOU HAVE THE RIGHT to receive from law enforcement agencies protection from harm and threats for cooperating with prosecution efforts;

YOU HAVE THE RIGHT to have your safety and the safety of your family considered in the setting of bail for the offender;

YOU HAVE THE RIGHT to be informed about relevant court proceedings, including appellate proceedings, and to be informed prior to the event if those proceedings have been canceled;

YOU HAVE THE RIGHT to be informed, concerning the defendant's right to bail, the procedures in criminal investigations and the general procedures in the criminal justice system;

YOU HAVE THE RIGHT to provide pertinent information on the impact of the offense to be considered at the time of sentencing and parole;

YOU HAVE THE RIGHT to information regarding compensation to victims of crime and referral to available social service agencies that may offer additional assistance;

YOU HAVE THE RIGHT to be informed of parole procedures, to participate in the parole process, to be notified of parole proceedings, to provide to the Board of Pardons and Paroles information to be considered, and to be notified of the defendant's release;

YOU HAVE THE RIGHT to be provided with a separate and secure waiting area before testifying in any proceeding concerning the offender;

YOU HAVE THE RIGHT to prompt return of property held as evidence when it is no longer required;

YOU HAVE THE RIGHT to have your employer notified if testifying requires absence from work;

YOU HAVE THE RIGHT to have counseling regarding acquired immune deficiency syndrome (HIV/AIDS) if the offense creates the need;

YOU HAVE THE RIGHT to be present at all court proceedings related to the offense, subject to judge's approval;

YOU HAVE THE RIGHT to request victim-offender mediation coordinated by the victim services division of the Texas Department of Criminal Justice;

YOU HAVE THE RIGHT to information and an explanation about these rights.

Failure to provide these rights does not create a liability on the part of those responsible for them. For a complete text of Texas victim rights law, go to Chapter 56, Sub, A, Code of Criminal Procedure (on rights of crime victims) and Chapter 57, Family Code (on rights of victims of juvenile crime)

AS A PATIENT:

YOU HAVE THE RIGHT to be presumed mentally competent unless a court has ruled otherwise;

YOU HAVE THE RIGHT to a clean and humane environment in which you are protected from harm, have privacy with regard to personal needs, and to be treated with respect and dignity;

YOU HAVE THE RIGHT to appropriate treatment in the least restrictive appropriate environment available;

YOU HAVE THE RIGHT to be free from mistreatment, abuse, neglect and exploitation;

YOU HAVE THE RIGHT to be told in advance of all estimated charges being made;

YOU HAVE THE RIGHT to have your records kept private and to be told about the conditions under which information about you can be disclosed without your permission

YOU HAVE THE RIGHT to be informed of the current and future products of special observation such as one-way mirrors, tape recorders, or photographs;

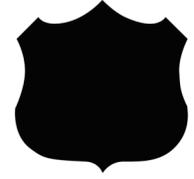
YOU HAVE THE RIGHT to refuse treatment;

YOU HAVE THE RIGHT to request that a rape crisis counselor accompany you in the examining room.

You have the right to survive.

Do I have to report this to the police?

Before your physical examination in the emergency room, you may have contacted law enforcement officers. If you did not, it is important for you to understand that many hospitals automatically contact law enforcement once you are there. This does not mean that you are obligated to make a crime report.



Should you choose to report, you or someone acting on your behalf can contact law enforcement by telephone. Your name (or the name of the person calling for you) does not have to be given.

If you decide to report the assault, the first step is a crime report, which may be made before or after the physical examination in the emergency room. Within a few days after the initial report, special sexual assault investigators may call you into their office or come to you for a follow-up report. You must be truthful in each statement you make in any law enforcement or judicial proceeding. Inaccurate or incorrect information may cause law enforcement to follow false leads. If you are not certain of something, be sure to say so. If you do not know something exactly, describe as accurately as possible. Law enforcement officers will ask you questions regarding your name, address, phone number, and place of business. If you are unemployed, say so. Do not worry about your unemployment or resident status.

The officers are not there to judge you. They are there to obtain information about the crime: the date and the time of the occurrence, location, description of the suspect, etc. You will also be asked about your activities before and after the assault. They will also need to know whether any penetration occurred and what sexual acts were forced upon you to determine what crimes can be charged. The slightest penetration may result in an assault charge

rather than an attempted assault charge. Again, you must be truthful in your statements even though you may be embarrassed.

Remember, it is not you who did these things, but the assailant. The information you provide is the basis of a legal proceeding and must be accurate. You have the right to read over everything the law enforcement officers write on forms and to ask them to correct any misinformation. This only applies to the information which you have provided, you cannot see information or testimony someone else has given. Be certain to get the NAMES, BADGE NUMBERS, and TELEPHONE NUMBERS of officers.

If you remember something later that you may not have told the law enforcement officers, call them with the information.

Also, if you remember details a little differently later on; make sure to clarify this with law enforcement.

Law enforcement officers should not ask you questions about your emotional or physical reaction at the time of the assault. (They should not ask, "Did you enjoy it?", "Climax?," etc.) In some cases, law enforcement officers may ask questions about your mental state in order to determine whether or not you may need to be referred for counseling to help you deal with the emotional reaction to the assault.

In making the decision of whether or not to report the crime, keep the following facts in mind:

Advantages:

- *If you report the crime and the suspected rapist is caught and convicted, you may have protected others from falling victim to the rapist. Also, your reporting may help to strengthen another survivor's report.*
- *You will be eligible for Crime Victims' Compensation provided by the State of Texas.*
- *You can request assistance throughout the trial process from Victim Advocates and/or Crisis Counselors.*

Disadvantages:

- *It may be difficult for you to repeat your story for what seems to be many times to law enforcement officers and in court. It may also be emotionally difficult for you because telling the story over and over may cause you to relive the assault experience.*
- *Even if you report the crime and choose to press charges, the District Attorney has the right to decide whether or not to prosecute the case. If the D.A. does not file, you are entitled to know why.*
- *Fewer than one out of five cases goes to trial, and fewer result in conviction. This does not mean that your particular case will not be filed, but the statistics are not encouraging at this point.*

What happens in court?

If the suspect is caught and the case against the suspect proceeds to court, you will be subpoenaed to testify as a witness at a preliminary hearing. A subpoena is a court order requiring your attendance in court on a certain date and time. Please read the subpoena carefully and be certain to appear at the place, date, and time noted. If you have any questions or problems about the subpoena, call the District Attorney's Office or the Victim/Witness Division. It is always best to call the District Attorney's Office the day before your appearance is required. They can advise you of any delays in the proceedings and prevent you from making any unnecessary trips.

In court, it will not be you vs.

the rapist. Your role is as a witness. The "people of the state" prosecute the suspect because the suspect is charged with committing a criminal act under the Penal Codes of the State. The attorney prosecuting the case against the suspect is an Assistant District Attorney. It is unlikely that the same attorney will present the case from the first proceeding through the final sentencing. You have the right to have your own attorney present if you wish.

The preliminary hearing is generally a short process in which only the basic details of the crime are disclosed. What must be established is that the assault occurred and that there is reason to believe that this suspect did it without your free consent.

Between the preliminary hearing and the actual trial, many delays may occur; most are requested by the defense (the attorney repre-

senting the defendant). It may take many weeks before the trial actually begins. This is not uncommon. Very few cases actually go to jury trial. Many defendants "plead" after the preliminary hearing. In these cases, the preliminary hearing may be the only appearance required of you.

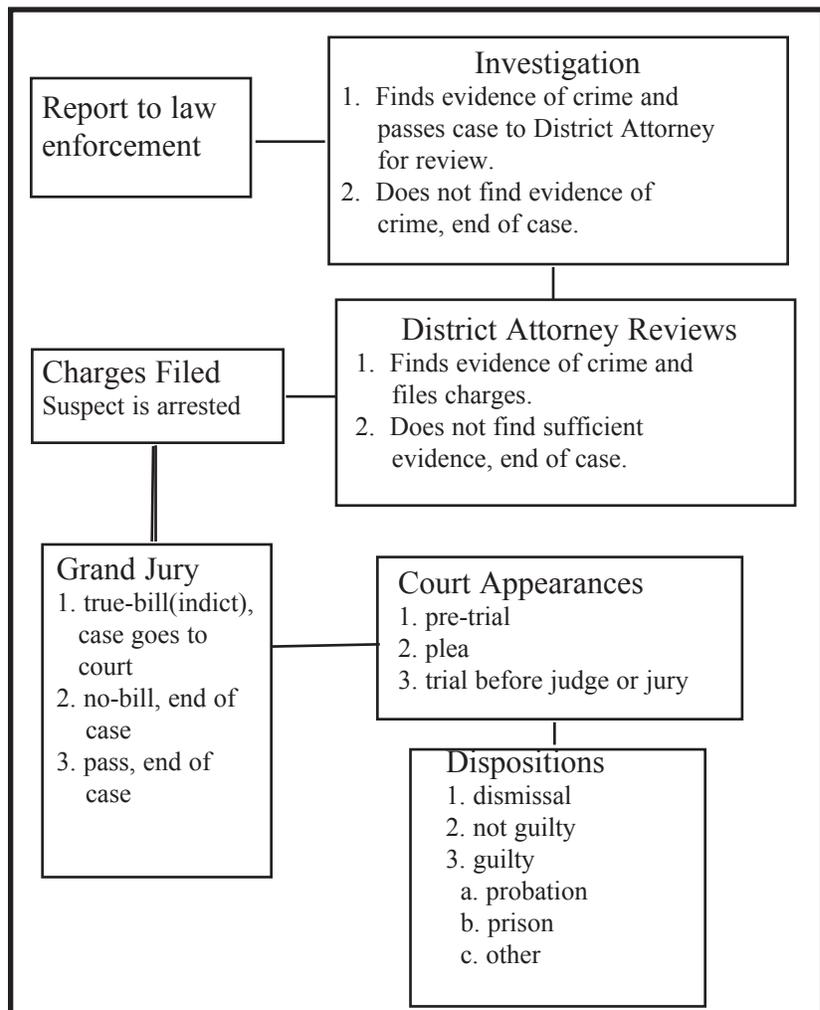
Should a trial occur, the case is decided by a judge or jury based upon witnesses' testimony and the physical evidence. To be convicted, a defendant must be found "guilty beyond a reasonable doubt." In addition, a defendant has the constitutional right to "confront" witnesses against him/her, so the defense attorney has the right to question you.

The defense attorney may try to attack your credibility in different ways including suggesting that you are mistaken in your identification of the defendant.

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Usual order of events in a criminal proceeding:

- You file a crime report with law enforcement.
- You may look at mugshots or assist in making a composite picture.
- A suspect may be arrested.
- You may be required to identify the suspect in a line-up.
- Law enforcement presents the case to the District Attorney.
- You may be interviewed by the District Attorney's Office.
- District Attorney decides whether there is enough admissible evidence to present case to the Grand Jury.
- If indicted and if suspect pleads not guilty, several hearings will be set which the suspect must attend. You may be subpoenaed to appear at these hearings.
- Trial (you are required to attend)
- Acquittal or sentencing



S/he may suggest that you are lying for some reason. Remember, you are telling the truth. The defense attorney is doing his or her job in representing the defendant. A sentencing hearing may follow the trial. This is an open, public hearing you may want to attend.

In an effort to feel more comfortable in the courtroom and to have a better understanding of the criminal proceedings, you may wish to contact the District Attorney's Office, Victim/Witness Division, your legal or medical advocate, or your counselor.

What am I feeling?

SOMEHOW, SOME WAY I lived through the experience of a sexual assault. I didn't know whether I would and maybe I didn't even know if I wanted to, but I did. Now I face people and I wonder what they think. Maybe they wonder whether I was careful enough, whether I provoked it in some way, whether I fought hard enough. Maybe I wonder the same things.

I can't handle or cope with other people and their thoughts right now. I have so much to think about but I don't want to think about any of it. I've lost all of my normal thoughts and concerns right now and everything is focused on myself and safety.

AND HIM! I want to do something terrible to him... maybe sometimes, even to myself. Will he come back? **AM I SAFE?** Oh, I feel so helpless! I feel I lost control of my life and I feel like I'm going crazy. But what about those who depend on me? Can I cope? I also wonder about being intimate with someone again. I don't want to be touched and I'm not ready to talk about any of this.

I'm rambling on because I can't seem to concentrate or care about other things or matters like before. Is that wrong? Who knows how I'll be able to sleep at night? **How am I going to go on?** How am I going to be able to care for those who depend on me?

I WANT TO FORGET

I WANT TO ESCAPE

I WANT MY LIFE BACK IN ORDER

WHAT IS GOING TO HAPPEN TO ME?



Can I file a civil suit?

One last thought...you may be unhappy with the criminal proceedings. You may want to sue the assailant for damages. You may want to file a civil suit before, during, or after the criminal proceedings. Unlike the criminal proceedings, which require testimony and evidence showing the defendant as guilty "beyond a reasonable doubt," the civil proceedings only require "a preponderance of evidence."

You will have to retain your own attorney or go to Small Claims Court. Also, if you were assaulted in an area such as a parking lot or structure, you may be able to sue the owner(s) for negligence. Discuss these matters with an attorney.

Does anyone know how I feel?

The experience of sexual assault has different meanings for each person. No one knows precisely how an individual will react, but rape crisis counselors have found that most people experience sexual assault as a severe emotional and physical violation. This section will help you sort out and understand some of what you may be feeling right now, or what you may feel in the future.

Rape is a violent act of domination and humiliation in which the victim is without power or free will. Following such an experience, it is natural to feel frightened and powerless. You may have believed that you were going to be killed, and thinking of this can leave you feeling vulnerable. You may also feel a sense of having lost control over your life and/or a sense of shock and disbelief. Restoring feelings of control

is important. By making decisions (regarding your medical examination or reporting the crime, for example) you can regain some control you may feel was taken from you.

Following a sexual assault, you may find your lifestyle disrupted in a number of ways. You may have difficulty concentrating. You may feel the need to change jobs or to move. You may also experience a loss of appetite, depression, or nightmares. Some victims fear being alone, others are afraid to be in crowds. All of these are common reactions.

These feelings can occur once or many times. They can come and go. Some survivors try to block out the painful memories. Others need to talk about their experience over and over again. All of this is part of what is commonly called Rape Trauma Syndrome.

Many survivors have found it helpful to know how others have reacted to a sexual assault. This gives them some idea of what they can expect.

Because rape is one of the crimes in which the victim is often treated as the guilty party, it is understandable that many survivors experience feelings of guilt. These feelings can be especially strong if you knew your assailant. You may feel guilty because you were not able to foresee or stop the assault. It is important to remember that:

- *It was not your fault. No one asks to be raped.*
- *A sexual assault is one of the crimes in which the victim may be treated as the accused.*
- *Other people often try to make the survivor feel guilty in order to reduce their own feelings of vulnerability.*
- *Rape is not an act of lust but one of aggression, humiliation, and power.*

How long will I feel this way?

Getting back to normal can take a long time and you may be wondering if there is anyone who can help.

Many survivors have found it helpful to talk to rape crisis counselors. They are trained to listen and will try to help you make your own decisions and deal with your feelings in a way that is best for you.

You can find the telephone numbers of rape crisis hotlines and rape treatment centers in the section called **"Who can help me?"** on page 21.

Common reactions to sexual assault:



EMOTIONAL	I feel so numb
SHOCK	Why am I so calm? Why can't I cry?
DISBELIEF	Did it really happen? Why me?
EMBARRASSMENT	What will people think? No, I can't tell my family.
SHAME	I feel so dirty, like there is something wrong with me now. I want to wash my hands all day long.
GUILT	I feel as if I did something to make this happen to me. If only I had...
DEPRESSION	How am I going to go on? I feel so tired and hopeless.
POWERLESSNESS	Will I ever feel in control again?
DISORIENTATION	I can't sit still. I'm having trouble getting through the day. I'm just overwhelmed.
RE-TRIGGERING	I keep having flashbacks. I wish they would stop.
MINIMIZING	Wasn't it "just" rape?
FEAR	I'm afraid of so many things. Will I get pregnant or get an STD? Am I safe? Can people tell what's happened to me? Will I ever want to be intimate again? Will I ever get over this? I'm afraid I'm going crazy. I have nightmares that terrify me.
ANXIETY	I'm a nervous wreck! I have trouble breathing. (Anxiety is often expressed in physical symptoms, like difficulty breathing or muscle tension, sleep disturbances, change in eating habits, nausea, stomach problems, nightmares, bedwetting.)
ANGER	I want to kill him!
DENIAL	It wasn't really rape.

How will my family and friends react?

Your family and friends will struggle with many feelings of their own at the same time you are struggling with yours. They may need assistance, too.



- They may view sexual assault as a sex act rather than a crime of violence and this misinformation needs to be corrected.
- They may mistakenly blame you or themselves for the assault.
- They may believe that not talking about feelings will make the feelings go away.

After being sexually assaulted, you may have mixed feelings about telling your friends and family. You may also be extremely sensitive to the way they respond to you. At a time when you may need to talk out your feelings, others may have difficulty listening. When you need to make your own decisions about reporting the assault or seeking other help, the important people

in your life may seem to want to make decisions for you. When you want to be comforted because of the violence you experienced, your spouse or partner may pressure for more physical intimacy than you desire. Friends or family may ask questions about the assault that indicate a lack of understanding of what it was like for you. It is up to you to decide who and what to tell. However, it is also very important for you to have a support system you can turn to, and family and friends are often able to fulfill this need. A spouse or partner may avoid closeness with you or may feel that immediate intimacy will erase the trauma of the assault. Loved ones may become overprotective in trying to cope with their own feelings of fear, powerless-

ness, and helplessness.

Understanding the feelings of your loved ones does not mean that you must take responsibility for helping them cope with their feelings when you need to be dealing with your own. However, talking about feelings directly, perhaps with the support of an outside person, can help everyone.

Someone I care about was assaulted

...what can I do to help?

It is normal for you to feel upset and confused. At a time when you may want most to help the survivor through this crisis, you will be dealing with a crisis of your own.



It is not uncommon to be confused about sexual assault and perhaps to wonder if the survivor could have prevented it. You may find it difficult to listen when the survivor needs to talk about feelings. You may hope that by not talking about the assault, the feelings both of you are having will go away. You may be tempted to make decisions for the survivor, or to be over-protective. You may want to hide the assault from others, fearing their reaction to the survivor and to you. You may want to resolve the crisis quickly; you may feel disturbed or confused when the survivor continues to be affected for weeks, months, or years.

Some spouses or partners may want more physical intimacy sooner than the survivor does. Others may feel repulsed by closeness. As a spouse, friend, or family member, you may feel guilty and responsible, believing that somehow you could have prevented the assault. You may also feel anger at the survivor or at everyone in general and a desire for revenge.

All of these feelings are understandable following the sexual assault of a loved one. If these feelings are hidden or expressed in hurtful ways, they can interfere with the resolution of your crisis and that of the survivor. You need support, and it is available.

Rape is a violent assault, not a sexually motivated or sexually gratifying act. The rapist's aim is to dominate, humiliate, control and degrade his victim. However, because the same parts of the body are involved in sexual assault as in making love, many people confuse violence and sex. They may respond to a survivor of assault as if s/he had provoked, wanted, or enjoyed it.

In addition, some people do not understand a survivor's deep emotional upset and sense of violation. Many people believe rape is not traumatic unless the survivor was a virgin or suffered severe and visible physical injury. Other people may

not understand the importance of the survivor's making her/his own decisions and regaining control over her/his life.

Not understanding the reality of sexual assault can make the crisis more difficult for you and the survivor.

If children are involved, they may either know or sense that something has happened. It is important that they receive help to deal with their feelings, too. What children imagine is usually more frightening than knowing the facts. It is helpful if they are given the opportunity to deal with their feelings.

The emotional impact of sexual

assault does not disappear, and talking about feelings can help. It may also help to focus on what you can do to minimize the risk of future assaults. Making your home secure, learning self defense and talking with other people who have experienced a similar crisis may be helpful.

Rape hotline counselors are available to support you as well as the survivor. Your feelings of fear, anger, confusion, guilt, or powerlessness are normal. Counselors can assist you in dealing with your feelings and can answer questions about medical, legal, or other issues.

Many people confuse violence and sex; they do not understand a survivor's deep emotional hurt and sense of violation.

Will I ever feel safe again?

Your concern for safety and self protection is a normal and appropriate reaction.

I'm afraid to be alone.

Your fear is natural. After being sexually assaulted, you may also feel humiliated, degraded and depressed. You may want to isolate yourself even if you are afraid to be alone. These feelings are common and it is helpful to your recovery to deal with them. A rape crisis hotline or crisis counseling center may be able to help you deal with these feelings whenever they arise.

I wonder if I'll ever feel safe again.

It is very common for you to feel afraid, especially in circumstances similar to those under which the assault occurred (i.e. same place, same time of day, etc.) Most people find that they begin to feel safer after a period of time. The length of this period varies. Again, fear for your safety is a very normal reaction. A supportive, non-judgmental listener can help you deal with this normal reaction.

I'm afraid my attacker will return.

Although many rapists threaten to return, in reality very few ever do. Still, the threat itself can be frightening. Taking the precautions to make yourself and your home safer is one way of dealing with such a threat and the fear it causes. See the suggestions listed below for specific actions you can take.

I'm considering purchasing pepper spray or a gun to protect myself.

It is not uncommon after a sexual assault to want to purchase a weapon. It's a good idea to consider the following before making a decision.

- *Pepper spray cannisters, guns, knives, hat pins, etc., can all be taken away and used against you. Also, pepper spray cannisters may malfunction at any time.*
- *You may not have your pepper spray or other weapon with you when you need it.*

- *Approximately half of all assailants are known by the survivor.*
- *Children can find weapons and hurt themselves accidentally.*

As an alternative to weapons, you may want to enroll in self-defense courses. A good instructor can help turn fear into anger and then into action. You can learn how to use awareness, assertiveness and physical action to defend yourself. Learning self defense is one way of dealing with fear and anxiety. What you learn becomes part of you and you always have it with you.

I don't feel safe at home.

Whether or not you were attacked in your home, you may not feel safe there, especially if you live alone. Many sexual assault survivors share this feeling. Some have found it helpful to stay with a supportive friend or relative until they feel less frightened, or until they are able to move or make their homes safer. Talking with a rape crisis counselor can help you determine the options available to you (i.e., asking a friend or relative

to stay with you, going to a hotel or motel, moving, etc.).

I'm frightened when I go out of my house.

It is not unusual for a rape survivor to temporarily lose a sense of personal safety when out of the house. Becoming familiar with self-protection strategies (see below) and being alert can help you regain a feeling of safety outside the home.

Fear is a very normal, natural and common reaction to a sexual assault. Many survivors look for immediate solutions, like the suggestions that follow. Sometimes reading these suggestions can create a sense of guilt. You may think you could have prevented the assault. Remember, the responsibility for a sexual assault lies with the perpetrator.

Safety at home:

- *Install locks on all doors and windows. Use them.*
- *Know your neighbors, especially those who can be called in an emergency. Having emergency signals worked out (e.g., whistle blasts during the day, flashing lights at night) can help. Working with the neighborhood watch can also be effective.*
- *Avoid places where attackers might hide (bushes, alleys, etc.)*
- *Maintain good visibility around the home. Trim shrubs and trees.*
- *Make sure all areas are well lighted.*
- *Install a peephole in your front door. If you can't install a peephole, always ask "Who's there?" before opening the door. Many women also call out "I'll get it, Jack!" to suggest they are not alone.*
- *Before opening the door to any guest or repairman, demand identification from the person at your door. It is wise to check this identification by phone or ask a neighbor to keep you company while the repairman or guest is in your home.*

- *Teach children not to open the door to anyone or tell any phone caller that they are alone, where you are or where you will be.*

- *If you are a renter, you may request, in writing, that your landlord repair or install locks on doors and windows. Your landlord is responsible for keeping such areas as the front and back of the building, hallways and courtyards well lit.*

Safety on the street:

Research has shown that people who stand straight, walk with a firm step, look ahead rather than down, and act like they know where they are going are less likely to be seen as possible victims.

It is not necessary to stop and be polite when a stranger or slight acquaintance asks a question in a public place. It's okay to answer "I don't know" and walk on, or not to answer at all. It is not necessary to let anyone force you into an association you don't want. Repeating firmly and with conviction "No, I don't want to do that!" has worked for some people.

- *Keep one hand free when carrying packages.*
- *Avoid dark, empty places.*
- *Listen for footsteps. Turn around if you think you are being followed and check. If you think someone is following you, cross the street, yell, and if possible, run to the nearest lighted area where there are other people.*
- *Have door keys and car keys ready before you get home or get to your car.*
- *Avoid walking alone if you are distracted, upset, or under the influence of any substance which might impair your action.*
- *Be especially alert in elevators, parking structures, supermarket parking lots, and laundromats. Enter these places with a friend or co-worker whenever possible.*

Safety while traveling by car or by bus:

- *Always check the front and back seat of your car before entering. If someone is in your car, leave immediately.*
- *Make sure your gas tank is not empty.*
- *Keep car doors locked at all times.*
- *Keep car windows mostly closed when driving.*
- *If you are followed, blow your horn and drive to a police station, if possible.*
- *When waiting for the bus, stand behind the bus bench balanced and ready for action.*
- *Keep packages, purses, etc., tucked under your arm.*
- *Sit by the driver if unsure of the route.*
- *Stay awake in the bus.*
- *Have money for emergency calls.*
- *Notice who gets off at your stop.*
- *Keep your cellphone handy.*

If you are feeling it is unfair to have to think about these safety tips all the time, **YOU ARE RIGHT**. However, it is important that you be as safe as possible. If your intuition tells you that something is wrong, or if you feel threatened or uncomfortable in ANY situation, make every attempt to get to a safer place as soon as possible. The two key words in self protection are **AWARENESS** of surroundings and **ASSERTIVENESS** for yourself. Your brain is your best weapon.

Who pays for this?

As the victim of a violent crime such as rape or sexual assault, the injury you received because of the assault may require medical and/or psychological care. While the local police department provides and pays for the medical exam, you may ask the State of Texas to reimburse you for any medical, emotional, or financial losses you suffered as a result of being the victim of a violent crime, even if the physical and emotional problems do not develop immediately.



This section is a brief guide to help you decide whether you are eligible to file for reimbursement of the expenses you will have. If you have reported the crime to a law enforcement agency, you can file for Crime Victims' Compensation (CVC) for those expenses that are not reimbursed by a third party. Your first source for reimbursement of your Emergency Room costs is any medical or hospital insurance you may have.

Note: To receive complete information about eligibility requirements, please contact the Crime Victims' Compensation Division at the Office of the Attorney General of Texas.

Basic Qualification Requirements:

Residency: The crime must occur in Texas to a Texas or U.S. resident, or the crime must involve a Texas resident who is victimized in a state without a crime victim compensation program for which the victim is eligible.

Reporting the Crime: Reports must be made in a "reasonable period" after the incident unless the victim is under 18 years of age or there is a good reason why the crime was not reported within this time period.

Filing for Compensation: The application must be filed within three years of the crime unless the victim is under 18 years of age or there is a good cause why the application was not submitted within this time period.

Cooperation: The victim and/or claimant must cooperate fully with law enforcement officials in the investigation and prosecution of the case.

Who May Qualify:

- *An innocent victim of a violent crime who suffers physical and/or emotional harm or death.*
- *A person who legally assumes the obligations or voluntarily pays certain expenses related to the crime on behalf of the victim.*
- *Immediate family members needing counseling as a result of the crime against the victim.*
- *Household members related to victim by marriage or blood and requiring counseling as a result of crime against the victim.*

Who Is Not Eligible:

- *A victim whose own behavior contributed to the crime (in those cases, benefits may be reduced or denied).*
- *A victim or claimant who knowingly and willingly participated in the criminally injurious conduct.*
- *A victim or claimant who was engaged in illegal activity at the time of the crime.*
- *An offender or an accomplice of the offender.*
- *Anyone who was incarcerated in a penal institution when the crime occurred, or who was on probation or parole for a felony involving criminally injurious conduct.*
- *Victims of motor vehicle accidents.*

What Crimes Are Covered:

Sexual assault, kidnapping, aggravated robbery, assault, homicide and other violent crimes in which the victim is injured and suffers physical or emotional harm or death.

What Expenses Are Eligible:

Reimbursement for property damage or loss is not an eligible expense. Approved claims may be awarded compensation only if they are related to the crime. Other eligible expenses include but are not limited to: loss of wages/loss of support, psychiatric care/counseling, medical expenses, funeral/burial, moving costs (if you were raped in your own home), child care, etc.

Limits on Awards:

Total recovery may not exceed \$50,000 unless the victim suffered total and permanent disability. Victims who suffer total permanent disability as a result of their victimization may qualify for an additional \$25,000 which may only be used for costs associated with:

- *making a home or automobile accessible.*
- *providing job training and vocational rehabilitation training in the use of special appliances.*
- *home health care.*
- *reimbursement of lost wages.*

How to Apply:

Every law enforcement agency in Texas is required to provide victims of crime with information about the CVC program and an application. Applications are also available from the prosecutors' offices. Their victim assistance coordinators are required to provide assistance to victims who ask for help filling out the form. You may also **get an application directly from Office of the Attorney General by calling 1-800-983-9933 (<http://www.oag.state.tx.us/victims/cvc.htm>)**.

What about me?

Due to special circumstances in your life, you may have questions or concerns that have not been discussed in this booklet. This section of the Survivor's Packet is for you. We hope you will find it helpful.



My child has been sexually assaulted...

Finding out that your child has been victimized can be overwhelming. What needs to be done immediately is to reassure your child that you:

- believe what s/he has told you
- know it is not her/his fault
- are glad s/he has told you about it
- are sorry about what happened
- will do your best to protect and support her/him.

Most parents do not realize that:

- young children do not make up stories about what they have not experienced (i.e. sexual activity)
- children are **never** responsible for sexual assaults made against them
- most children are afraid parents will punish them for reporting a sexual assault
- sometimes parents' feelings of guilt and self-blame make them forget **who** has been victimized
- children do best when parents are calm, caring and accepting.

Many parents have not been taught the facts concerning the sexual abuse of children. See chart at right.

You may be unsure how to help your child. One important way is to quietly encourage your child to talk about the assault. It is important to do this gently and without pressure. If your child doesn't talk about the experience right away, you may want to provide an opportunity. ("If you don't feel like talking about this right now, I understand. But if it begins to trouble you, or you're thinking about it a lot, it's important that we talk about it.")

Myths & realities of child sexual assault:

MYTH	REALITY
Sexual assault of children is a relatively rare occurrence.	Child sexual assault is three times as common as child battery. Kinsey reported that 25% of American women had been molested during childhood. It is estimated that between 50% and 80% go unreported.
Child sexual assault is an isolated incident that happens out of the blue and is usually an extreme form of abuse.	On the contrary, this kind of abuse develops gradually over a period of time and generally will be repeated unless it is stopped. While the forms of abuse may become more serious as time goes on, the overwhelming majority are not of the torture/murder variety sensationalized in the media.
Assailants are strangers.	Between 75% and 80% of assailants are known to the family.
Child assaulters are psychotics or emotionally disturbed people whose sexual drive is misdirected towards children.	These offenders, the great majority male, are otherwise normal people who have difficulty controlling their aggressive -- not sexual -- impulses. Incest offenders have normal sexual relationships with adults. In one study, 31% of attacks involved verbal threats, 46% physical force. Child sexual assault, like adult rape, is a crime of violence, not sex.
Child victims are promiscuous and seductive, and adolescents in particular may provoke sexual assault by their behavior.	The Rape Prevention Study Center reports that the two kinds of assaults commonly committed by adults against children are forcible rape and coercion situations. Children do not ask to be abused. Responsibility for sexual assault lies with the adult, not the child.
Children make up stories to get back at someone or to gain attention.	Children rarely lie about sexual assault. Younger children do not understand what it is, and older children are often too embarrassed or frightened to disclose actual assaults, let alone make up false ones.
Telling children to avoid strangers and keeping them at home is a guarantee against sexual assault.	Again, 75% to 80% of assailants are known to the family; 60% of attacks occur in the victim's or assailant's home.
It will only traumatize children to frankly discuss assault with them.	Vague warnings like "don't take candy from strangers" can confuse and frighten children. If assault is presented as a safety issue, it is no more frightening than discussing fire or playground safety. Children's fantasies are often worse than reality; concrete information sensitively presented can empower them and help rid them of nameless fears.
Children are powerless to protect themselves.	Children can be taught to use their own resources to protect themselves: to kick, yell, run, get help, etc. The key is that they know there to whom they can turn for immediate and unquestioning help.

While making it clear that the fault lies with the offender, remember that often s/he is someone known to the child. (In fact, approximately 75-80% of the sexual assaults against children are by people known to them—very often a relative, neighbor, or friend of the family). It is normal to feel angry, but angry threats about what should happen to the offender (jail, etc.) might cause your child to feel guilty about having told. Your response should place the blame and responsibility with the offender in a realistic way: “What Uncle Johnny did was wrong. We’re going to try to get him some help so he doesn’t hurt you or anyone else again.”

More than anything else, your child needs support, comfort and love, now and in the future.

The decisions to be made after the sexual assault of a child are difficult ones. There are no right answers. Because sexual assault is so disruptive, you may also need support. It is important to unburden yourself of some of your feelings (guilt, anger, grief, etc.).

The most important consideration is to support your child emotionally. Talking to a counselor trained in child sexual assault can help you.

Legally: No child under the age of 14 can ever give consent to have sex. Also, from 14 until 17 there is no consent except that it is sometimes an affirmative defense that the other party was less than 3 years older and no force, threat, or coercion was used when having sex.

Reporting Law: Texas law requires all professionals working with children to report suspected child abuse immediately or as soon as practically possible by phone to the Department of Protective and Regulatory Services or to the local police department or Sheriff. The telephone report is to be followed by a written report within 36 hours to the agency to whom the telephone report is made. DPRS and law enforcement are required to inform each other of all reports received. This law takes precedence over the confidentiality of the doctor/patient or counselor/client relationship. Failure to report is a misdemeanor and could also result in civil liability.

I am a teenager...

If you have been sexually assaulted, there are some things you need to know right away:

- *Rape is any sexual activity forced upon you against your will.*
- *What happened wasn’t your fault, whether you were assaulted by a stranger or by someone you know.*
- *It’s important that you get medical care as soon as possible.*
- *It’s wise that you let someone you trust know what happened.*
- *Talking to someone you trust about your feelings is a good idea. It can help you feel better.*
- *You are not alone. It is estimated that 1/3 to almost 1/2 of*

all young people in the United States are sexually assaulted by the time they are 18. This could be by a stranger, acquaintance, date or relative.

Perhaps the most difficult form of sexual abuse to deal with is incest. Nobody talks about it, but it can happen in any family. The offender can be a father, step-father, uncle, older brother or female relative. Usually the victim is a female. However, boys can be victims of incest, too. The most important things to remember are:

- *You are not to blame for what happened.*
- *There are people who will believe you.*
- *There are people who want to help.*

I am a male survivor...

You have survived a violent attack. Some of your feelings may be the same as those of a female sexual assault survivor. You may feel:

- *guilt*
- *powerlessness*
- *concern regarding your safety.*

However, there are special issues which may be different for you, including:

- *sexuality*
- *masculinity*
- *medical procedures*
- *reporting to law enforcement*
- *telling others*
- *finding resources and support.*

You need to know that strong or weak, outgoing or withdrawn, homosexual or heterosexual, old or young, attractive or unattractive, you have done nothing that justifies this violent attack. At no point and under no circumstances does anyone have the right to violate or control another’s body. Sexual assault is a crime of violence and power, not lust or passion.

The special support you may need as a man may include calling a crisis line anonymously and requesting a male counselor; requesting an older or male nurse; and finding a support group of male survivors.

As a man, many factors or fears may influence your decision to report or not report to law enforcement. There are both advantages and disadvantages if you choose to report.

Advantages:

- *you may apply for Crime Victims’ Compensation.*
- *your report may help protect others.*

Disadvantages:

- *you may be treated in an insensitive manner.*
- *you may not be believed.*
- *the chances of prosecution are slim.*

Feeling responsible is a normal reaction to sexual assault. However, sexual assault is never the fault of the victim. You did nothing to deserve this. You may want to talk to someone about your feelings.

I am a lesbian survivor...

As a lesbian survivor, you can expect the same range of emotional responses to assault as any woman. However, because of the myths about sexual assault and about lesbians, your concerns about how you will be treated may be intensified.

You may be concerned that you will be treated differently if you choose to disclose your sexual orientation and it may become the focus of treatment instead of the sexual assault. If you are not open about your sexuality with your friends, family or employer, you may fear that disclosure may threaten your job as well as the support you need from your significant others. You may worry that public disclosure of your sexual orientation may negatively affect your close friends or your children. And you may be concerned that caregivers who may be sensitive to the crisis of sexual assault may still hold distorted, judgmental ideas about lesbians.

On the other hand, if you choose not to disclose your sexual orientation, some of the questions you are asked by emergency room and law

enforcement personnel may be difficult to answer. You will also be under the added emotional pressure of thinking carefully about the thoughts and feelings you express openly at a time when it is very important to be able to talk about your feelings.

Whether you choose to disclose your sexual orientation or not, you are entitled to the same sensitive treatment as any survivor. You may find it particularly helpful to contact a lesbian advocate or counselor who is also knowledgeable about the crisis of sexual assault. The Montrose Counseling Center in Houston specializes in working with lesbian, gay, bisexual and transgendered people. Their hotline number is (713) 529-0037.

YOU ARE ENTITLED to contact a rape crisis hotline before your medical examination or law enforcement contact and request the support of an advocate or counselor.

YOU ARE ENTITLED to request treatment by female hospital personnel (although this may result in delay of treatment).

YOU ARE ENTITLED to privacy in the examining room, and you may request that law enforcement personnel not be present.

YOU ARE ENTITLED to refuse the collection of medical evidence even though you may request treatment for STIs and pregnancy prevention.

YOU ARE ENTITLED to request a female law enforcement officer if you choose to report the crime (although this, too, may result in delay).

You and your loved ones may need assistance in dealing with the many feelings that accompany sexual assault. There are supportive services that are particularly sensitive to the needs of lesbian survivors and to their families, partners and friends.

I am a senior survivor...

You may have thought this could never happen to you, but anyone – old or young, attractive or unattractive, rich or poor, living alone or with others--may be vulnerable to sexual assault.

Most rapes are planned. Anger and power, not sexual gratification, are the motivations for sexual assault. It is natural to feel guilty, but sexual assault is never the responsibility of the victim. You did nothing to provoke or cause this attack.

As a senior survivor, you may have special needs. Many survivors want to move following an assault. If you are living on a fixed income, this may be a problem for you. It may take you longer to recover from physical injuries and/or rape trauma syndrome. In addition, you may experience more anxiety concerning:

self image: "I have always tried to be a good person. I've lived through many things but I don't know if I can handle all of this."

safety: "How can I protect myself? I have always been so careful; I never thought this could happen to me."
independence: "I want to limit my activities now and stay at home. I want someone else to tell me what to do."

the medical exam: "I haven't had a pelvic exam in years. I feel so ashamed."

physical injuries: "It is taking so much time to heal. I feel bruised and sore all over and I'm worried about my health."

oral copulation: "I feel so nauseated. I hate to think about what happened."

anal intercourse: "Not only do I hurt, but the thought of what happened disgusts me."

talking about it: "I don't know if I should tell my children. I don't want to upset them."

You can call a rape crisis hotline for information, counseling, or to ask for someone to keep you company in the emergency room. Senior escort services are available for medical follow-up treatment. It may be helpful if those close to you talk with specially trained counselors as well.

I have a disability...

People with disabilities have the right to personal safety and a life free of sexual violence and abuse. Research has documented that individuals with disabilities face increased risks for sexual assault as compared to persons without disabilities. Sexual assault includes any unwanted sexual contact. The problem of assault and abuse against persons with disabilities is often complicated by the fact that most of the abuse is perpetrated by someone with whom the individual has an established relationship (e.g., family member, intimate partner, personal care provider).

Contrary to public opinion, people with disabilities are sexual beings and can experience and express positive sexuality. It is a myth that people with disabilities are unattractive and therefore not at risk for sexual assault. Rape is an act of violence motivated by power and control rather than sexual attraction. Any person can be the target of a sexual assault. In cases of sexual assault, degradation, humiliation, and power are the issues, not lust or passion.

Individuals with disabilities have the right to protection by law enforcement, the right to receive or refuse a Sexual Assault Nurse Exam (SANE) and other related procedures, the right to be informed of the progress of their case, and the right to privacy and confidentiality. You also have the choice

whether or not to make a police report and/or to press charges against the perpetrator.

Crime victims with disabilities may effectively participate in the prosecution of their assailants. Additionally, a report may be made to the Texas Department of Protective and Regulatory Services (Child or Adult Protective Services). Adults with disabilities may have the right to refuse protective services.

People with disabilities may experience trauma similar to other victims of violent crime. You may benefit from counseling services from a local rape crisis center. Sexual assault counselors and advocates can assist you with issues such as:

- *Finding and resolving trauma symptoms;*
- *Asserting your rights to privacy;*
- *Linking you with additional community resources; and/or*
- *Advocating for your rights with medical and criminal justice systems.*

If you know an individual with a disability who has been sexually abused or assaulted, it is important to believe the person and to support their recovery while maintaining respect for their independence and self-determination.

People with disabilities can learn skills through personal safety, sexuality education, and self-defense training to enhance their ability to protect themselves. Empowering a survivor with a disability to increase their knowledge and skills for self-protection can make a difference in their healing process.

Acquaintance rape is not just "forced sex" or seduction; it is rape.

I was assaulted by someone I know...

Acquaintance rape happens more often than stranger rape. The assailant might be an acquaintance, co-worker, friend-of-a-friend, social contact, or relative. He might be someone you barely recognize or someone you know well.

Many women mistakenly believe that because they agreed to meet their assailant, accepted a ride, stopped for a casual conversation, or allowed someone into their home, they are to blame for the assault.

Being raped by someone you know does not alter the fact that a rape has occurred. It's important to remember that the rapist, not the victim, is responsible. No one asks for such violence or deserves to be raped.

If you were assaulted by someone you know, you may have some special concerns.

- *You may find people less likely to believe you.*
- *You may find others less likely to understand what has happened to you.*
- *You may doubt your ability to judge others.*
- *You may find it difficult to trust others.*
- *You may be concerned about having to see your assailant again and you may be concerned about how you will react.*
- *You may have doubts about telling others what happened to you even though you want to warn others.*
- *You may have doubts about reporting the crime to the police.*

The feelings that rape survivors frequently express -- shame, guilt, fear, disbelief-- are often stronger in the case of acquaintance rape. Acquaintance rape may be even more misunderstood than stranger rape. Because of this, you may be less likely to seek the help and support you need.

I am an undocumented resident...

You may have come to the emergency room for treatment for the physical injuries that you received during a sexual assault. You need to know that:

- * The medical information you give to the nurse and doctor is confidential.
- * No medical information can be given to police without your signature on sexual assault medical evidence collection forms;
- * The hospital staff cannot ask about your citizenship status or deport you;
- * Your undocumented status cannot be discussed or reported by the hospital staff.

Emergency rooms are not required by state law to report sexual assaults if you are an adult, but some hospitals may contact law enforcement regardless. In some cases police may arrive while you are still at the hospital

even if you did not wish for them to be called.

You may wish to report the crime to police for many reasons. However, you are entitled to immediate medical treatment. If you choose not to report the crime, you will not be eligible for financial reimbursement of medical expenses through Crime Victims' Compensation.

If you have entered the country against your will, you may be entitled to protection under the Victims of Trafficking and Violence Protection Act of 2000. There are both short-term and long-term types of relief. "Continued presence" is issued by the federal government as a form of short-term relief. It is granted for one year and is renewable. It will allow you to remain in the United States if you are a victim and/or potential witness to a "severe form of trafficking" if you are willing to assist in the prosecution of the traffickers. T visas and U visas offer longer term relief. They can last up to three years but are not renewable. Certain quali-

fications must be met in order to qualify for these visas.

Cash benefits, medical assistance and temporary food and clothing needs may be available through TVPA and TANF. If you are willing to assist in the prosecution of the traffickers who brought you into this country against your will, the local authorities can assist you in learning more about obtaining these benefits. You can also contact the Department of Justice Report Line at 1-888-428-7581.

If you have concerns about your legal status, you may wish to contact special immigration attorneys referred to you by any of the hotlines or crisis centers listed under "Who can help me?" That section will also help you find counselors and service providers that can speak with you in your own language and help you with applying for T and U Visas.

I was assaulted by my spouse...

If you were forced to engage in unwanted sexual activities with your husband or ex-husband, you need to know you have the following medical and legal rights:

YOU ARE ENTITLED to treatment for injuries without saying who assaulted you.

YOU ARE ENTITLED to exclude anyone from the examination room, including your spouse.

YOU ARE ENTITLED to report or not to report to law enforcement.

YOU ARE ENTITLED to receive tests for STIs and pregnancy whether or not you choose to report to law enforcement.

Some common myths about marital rape include:

- *Sex with one's wife is a husband's right. (Women are seen as property belonging to men).*
- *Sexual assault by one's husband isn't serious. (It's between husband and wife so others shouldn't interfere).*
- *The husband will change. (The real Joe is a sweet guy and that other nasty part won't come back again).*
- *It's a women's duty to keep the family together at all costs. (Parents must stay together "for the sake of the children.")*

Some reasons you may have submitted to sexual pressure by you husband include:

- *You believed your husband would leave you if you refused;*

- *You were subjected to physical force;*
- *You feared your husband's beating if you continued to resist;*
- *Your husband threatened to cut off money to feed your family*

For your own understanding the most important point to be stressed is that no one deserves to be sexually assaulted, no matter what s/he says or does or whom s/he marries. No man has the right to force himself on any woman against her will.

You may be interested in calling a rape or a battering hotline (many hotlines service survivors of both rape and battering) to talk about your feelings and discuss what you can do.

Who can help me?

Sexual assault crisis centers provide 24-hour support, counseling, information and referrals for sexual assault survivors as well as for their family and friends. Trained counselors help survivors of rape and battering deal with their feelings, make decisions about medical and legal matters and obtain needed follow-up care. Advocates are available to accompany a survivor to the hospital, to law enforcement agencies and to court. All services are free and confidential.



Abilene - Regional Crime Victim Crisis Center
325-677-7895
www.regionalcrime.org

903-583-7000
bwfcfcc@verizon.net

Dumas - Safe Place, Inc.
806-935-2828
www.safeplaceinc.org

Alpine - Family Crisis Center of the Big Bend
800-834-0654

Borger - Hutchinson County Crisis Center, Inc.
806-273-2313

Eastland - Crime Victim Assistance Center
254-629-3229 or 888-686-3222

Amarillo - Family Support Services
806-374-5433
www.fss-ama.org

Brady - Family Shelter of McCulloch County, Inc.
325-597-7644

El Paso - STARS Rape Crisis Center of El Paso
915-779-1800
www.stars-elpaso.org

Angleton - Women's Center of Brazoria Co., Inc.
800-243-5788 or 281-585-0902

Brownsville - Friendship of Women, Inc.
956-544-7412

Fort Worth - The Women's Center of Tarrant County
817-927-2737
www.womenscentertc.org

Austin - SafePlace
512-267-7233
www.safeplace.org

Brownwood - The Ark
325-643-2699 or 888-313-2699
www.arkshelter.org

Gainesville - Abigail's Arms - Cooke County Family Crisis Center
940-665-2873
www.abigailsarms.org

Bastrop - Bastrop County Women's Shelter, dba Family Crisis Center
888-311-7755
www.family-crisis-center.org

Bryan - Sexual Assault Resource Center
979-731-1000
www.rapecrisisbv.org

Galveston - Resource and Crisis Center of Galveston County
888-919-7233
www.rccgc.org

Bay City - Matagorda County Women's Crisis Center
979-245-9299 or 800-451-9235

Carrizo Springs - Wintergarden Women's Shelter, Inc.
800-363-9441

Greenville - Crisis Center of Northeast Texas
903-454-9999
www.ccnetx.org

Baytown - New Horizon Family Center
281-422-2292
www.newhorizonfamilycenter.org

Cleburne - Johnson County Family Crisis Center
800-848-3206
familycrisiscenterofjohnsoncounty.org

Harlingen - Family Crisis Center, Inc.
956-423-9304
www.familycrisisctr.org

Beaumont - Rape & Suicide Crisis of Southeast Texas, Inc.
800-793-2273
crisis@rapesuicide.org

Dallas - The Family Place
214-941-1991
www.familyplace.org

Hempstead - Focusing Families
979-826-0000
focusing-families.org

Big Spring - Rape Crisis Victim Services of Big Spring
432-263-3312

Dallas - Victim Intervention Program / Rape Crisis
214-590-0430
vip-rapecrisis.parklandhospital.com

Hondo - Southwest Family Life Centers, Inc.
830-426-5131

Bonham - Fannin County Family Crisis Center

Denton - Denton County Friends of the Family, Inc.
940-382-7273
www.dcf.org

Houston - Houston Area Women's Center
713-528-7273
www.hawc.org

Houston - Montrose Counseling Center
713-529-3211
www.montrosecounselingcenter.org

Humble - FamilyTime Crisis and Counseling Center
281-446-2615
www.familytimececc.org

Huntsville - SAAFE House
936-291-3369
www.saafehouse.org

Jacksonville - Crisis Center of Anderson and Cherokee Counties
800-232-8519
www.mycrisiscenter.com

Kerrville - Hill Country CARES
830-257-2400 or 888-621-0047
www.hillcountrycrisiscouncil.org

Kilgore - Kilgore Community Crisis Center
800-333-9148

Killeen - Families In Crisis, Inc.
888-799-SAFE
www.familiesincrisis.net

Kountze - Hardin County Crime Victims Assistance Center
409-246-4300

Laredo - Serving Children and Adolescents in Need (SCAN)
956-724-3177
www.scan-inc.org

Longview - Women's Center of East Texas
800-441-5555

Lubbock - Lubbock Rape Crisis Center
806-763-7273
www.lubbockrcc.org

Marble Falls - Highland Lakes Family Crisis Center
830-693-5600
www.hlfcc.org

McAllen - Mujeres Unidas/Women Together
800-580-4879
www.mujeresunidas.org

Midlothian - Freedom Counseling
972-723-0044

Mineral Wells - Hope, Inc.
940-325-1306
www.geocities.com/hope_womens_shelter

Mt. Pleasant - Shelter Agencies For Families in East Texas (SAFE-T)
903-575-9999 or 888-801-HELP
www.safe-tagency.com

Nacogdoches - Women's Shelter of East Texas, Inc.
800-828-7233

New Braunfels - Crisis Center of Comal Co.
830-620-4357 or 800-434-8013
www.ccccnbt.org

Odessa - The Crisis Center
866-627-4747
www.odessacrisiscenter.com

Pampa - Tralee Crisis Center for Women, Inc.
806-669-1788 or 800-658-2796

Pasadena - The Bridge Over Troubled Waters, Inc.
713-473-2801
www.tbotw.org

Spearman - Panhandle Crisis Center, Spearman
800-753-5308
www.panhandlecrisiscenter.org

Plainview - Crisis Center of the Plains
806-293-7273

Plano - Rape Crisis Center
800-886-7273
www.theturningpoint.org

Pleasanton - Atascosa Family Crisis Center, Inc.
830-569-2001
www.atascosafamilycrisis.org

Port Lavaca - The Harbor Children's Alliance & Victim Center
361-552-4357
www.harboradvocacycenter.org

Rosenberg - Fort Bend County Women's Center
281-342-4357
www.fortbendwomenscenter.org

Round Rock - Hope Alliance
800-460-7233
www.wccc.info

San Angelo - Concho Valley Rape Crisis Center, Inc.
325-658-8888
www.cvrcc.org

San Antonio - The Rape Crisis Center
210-349-7273
www.rapecrisis.com

Seguin - Guadalupe Valley Family Violence Shelter, Inc.
800-834-2033
www.seguinviolenceshelter.org

Sherman - Grayson County Crisis Center
800-259-3909 or 903-893-5615
www.graysoncrisiscenter.org

Snyder - Gateway Family Services, Inc.
800-578-8054

Stephenville - Cross Timbers Family Services
254-965-4357
www.crosstimbersfamilyservices.org

Sulphur Springs - Hopkins County Outreach Office
903-575-9999
www.safe-tagency.com

Terrell - Healing Hearts Ministry
972-551-2700
www.hmmtexas.org

Texarkana - Domestic Violence
Prevention, Inc.
903-793-4357 or 800-876-4808
www.dvptxk.org

The Woodlands - Montgomery
County Women's Center
936-441-7273
www.mcwctthewoodlands.org

Tyler - East Texas Crisis Center
800-333-0358
www.etcc.org

Waco - Advocacy Center for Crime
Victims and Children
254-752-7233 or 888-867-7233
www.advocacycncr.org

Waller - Family Ties, Family
Resource Services
866-675-1199

Weatherford - Freedom House
817-596-8922
www.freedomhousepc.org

Webster - Bay Area Turning Point,
Inc.
281-286-2525
www.bayareaturningpoint.com

Weslaco - Mujeres Unidas/Women
Together, Weslaco
800-580-4879
www.mujeresunidas.org

Wichita Falls - First Step of
Wichita Falls, Inc.
800-658-2683
www.firststep.org

National Resource:

*Rape, Abuse and Incest National Network
Hotline*
1-800-656-HOPE
(will connect you to the nearest crisis
center in your area)

Statewide Resources:

Texas Association Against Sexual Assault
(TAASA)
P.O. Box 684813
Austin, TX 78767
(512) 474-7190 or 1-888-91-TAASA
(512) 936-1270

Sexual Assault Prevention and Crisis Ser-
vices Office of the Attorney General
PO Box 12548
Austin, TX 78711-2548
(512) 936-1270

Texas CASA (Court Appointed
Special Advocates)
(512)-473-2627

Children's Advocacy Center of Texas
1-800-255-4860

Child/Elder Adult Abuse Hotline
1-800-252-5400

Bibliography

**If you would like to read about
sexual assault, we recommend
the following:**

General Books:

-Brownmiller, Susan. *Against Our Will:
Men, Women, and Rape.* New York:
Simon & Schuster, 1975.

-Medea, Andrea, and Thompson, Kath-
leen. *Against Rape.* New York: Farrar,
Straus, and Giroux, Inc., 1974.

-Russell, Diana E.H. *The Politics of Rape:
The Victim's Perspective.* New York, Stein
and Day, 1975.

Resources for Children:

-Gordon, Sol and Judith, *Better Safe than
Sorry.* New York: Prometheus Books,
1984

-Anderson and Finne, Deborah and Mar-
tha, *Margaret's Story--Sexual Abuse and
Going to Court.*
New York: Macmillan Children's Group,
1986.

-Satullo and Russell, Jane A.W. and Ro-
berta, *It Happens to Boys Too.* Pittsfield:
Rape Crisis Center of the Berkshires
Press, 1992.

Resources for Adolescents:

-Irwin, Hadley, *Abby, My Love.* New York:
Atheneum Publishing, 1985.

-Taylor and Schulte, Mathew and Ann
Heiss, *For Guys My Age: A Book About
Sex Abuse for Young Men.* Northville:
Hawthorne Center, 1990.

-Lee, Sharice A., *A Survivor's Guide.*
Thousand Oaks: Sage Publications, 1995.

Resources for Parents:

-Byerly, Carolyn, *The Mother's Book--
How to Survive the Incest of Your Child.*
Dubuque: Kendall/Hunt, 1992.

Resources for Professionals:

-National Research Council, *Understand-
ing Violence Against Women.* Washington
D.C. : National Academy Press, 1996.

-Hillman and Solek-Teft, Donald and Jan-
ice, *Spiders and Flies--Help for Parents
of Sexually Abused Children.* Old Tappan:
Simon and Schuster, 1988.

-Hagens and Case, Katheryn B. and
Joyce, *When Your Child Has Been Mo-
lested.* Simon and Schuster, 1988.

Resources for Adults:

-Bear and Dimock, Euan and Peter,
*Adults Molested as Children: A Survivor's
Manual for Women and Men.* Brandon:
The Safer Society Press, 1988.

-Davis, Laura, *The Courage to Heal Work-
book.* New York: Harper & Row, 1990.

-Lew, Mike, *Victims No Longer*
Newbury Park: Harper & Row, 1994.

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-Byerly, Carolyn, *The Mother's Book--
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-Davis, Laura, *The Courage to Heal Work-
book.* New York: Harper & Row, 1990.

-Lew, Mike, *Victims No Longer*
Newbury Park: Harper & Row, 1994.

Notes

Name of Hospital _____

Doctor _____

Nurse _____

Social Worker _____

Phone Number _____

Date First Seen _____

I need my first follow-up exam on _____

I need my second follow-up exam on _____

Name of police officers or detectives _____

Case Number _____

Phone Number _____

Rape Crisis Center Number:

Hotline Number _____ Administrative Number _____

Advocate or Counselor's Name _____

Crime Victims' Compensation:

Phone Number _____

Name of advocate _____

Date of first call _____

Date claim was filed _____

Claim Number _____

--- www.taasa.org

Individual copies of the Survivor's Booklet are free to sexual assault survivors and others. You may request a copy of the Survivor's Booklet by contacting TAASA either by phone (512) 474-7190, from our website (www.taasa.org) or by mail:

Texas Association Against Sexual Assault
P.O. Box 684813
Austin, TX 78767

Multiple copies are also available from your nearest rape crisis center. Refer to pages 21-22 for the center closest to you.

This publication by the Texas Association Against Sexual Assault was made possible through a grant from the Office of the Attorney General.

Contributors

TAASA would like to thank the following individuals and agencies for allowing the use of their materials:

L.A. Commission on Assaults Against Women

Victim-Witness Assistance Program - County of Los Angeles

Los Angeles County District Attorney's Office

Office of Criminal Justice Planning

Austin Police Department

Victim/Witness Division, Travis County District Attorney's Office

Texas Crime Victims' Compensation Division

Emily Rivendell

Texas Office of Attorney General, Sexual Assault Prevention and Crisis Services