SURVIVORS OF SEXUAL ASSAULT

Restoring Dignity  |  Instilling Hope  |  Creating Safe Communities

family services
A Community of Solutions
“After I was raped, I felt responsible for what happened. During my recovery, I realized that no matter what I was going to be sexually assaulted. Through counseling, I learned to focus on the present and the future, instead of living the rape over and over every day.”
~Anonymous

*For the purposes of this booklet, masculine pronouns are generally used when referring to perpetrators of sexual assault, while feminine pronouns are generally used to reference victims. This is not meant to detract from those cases where the victim is male and the perpetrator female or where the victim and perpetrator are of the same sex.*
Introduction

Family Services is a private, non-profit organization that has helped thousands of individuals and families since it was founded in 1905. The Sexual Assault Response Program was established as Rape Response in 1982, and became part of Family Services in 1985. The Safe Relationships Division, which includes sexual assault services, provides a wide range of services to adults and children who are survivors of rape, sexual assault, and child sexual abuse. Services are provided to survivors and their families regardless of whether the assault occurred recently or many years ago.

Family Services established the Forensic Nurse Examiner Program in November of 1998 in collaboration with the Forsyth County District Attorney’s Office and Forsyth Medical Center. Sexual Assault Nurse Examiner (SANE) programs are currently being delivered at Forsyth Medical Center and Wake Forest University Baptist Medical Center. The programs at both hospitals work closely with the Winston-Salem Police Department, the Forsyth County Sheriff’s Office, the Kernersville Police Department and other community agencies. Forensic Nurse Examiners and Sexual Assault Nurse Examiners are specially trained to gather evidence using state-of-the-art equipment in a private setting at area hospitals. In conjunction with both programs, advocates from Family Services, provide support before, during, and after the examination to both the victim and his or her family. Advocates also share information with the victim regarding the counseling and support options available through Family Services as well as what to expect in the aftermath of the trauma.

Every year, through the efforts of professional staff and trained volunteers, hundreds of survivors and their families are able to receive short- and long-term counseling (individual, couple, family, and support groups), as well as hospital support and court advocacy. This program also provides community education programs aimed at prevention and helping the community better understand and deal with the problem of sexual assault and the needs of survivors.
Reactions to Sexual Assault

If you are a victim of sexual assault, you have experienced one of the most traumatic crises you will ever endure. You may wonder if your reaction to it is normal. Every person's reaction to a crisis is different, depending on his or her personality and the circumstances surrounding the crisis event.

Your feelings may be very confused. You may feel angry and want revenge or you may feel humiliated, degraded, guilty, and embarrassed. You may ask yourself what you could have done to handle the situation differently. You may have misjudged some, or all, of the situation or participated in something that put you at risk. You may have been using alcohol or other drugs. Regardless, no one has the right to your body without your permission. Hopefully, you will come to the conclusion that you did not do anything wrong; it was not your fault. Fortunately, you are alive; you survived!

Your lifestyle may have been disrupted by this crime. It will take more than a few days to return to your daily routines. A number of factors will play a role in your recovery. Your personality and your past experiences with other crises will influence how you deal with this. Your friends' and family's responses to your distress will be a major influence in your recovery. For this reason, it is recommended that family members also participate in, and benefit from, counseling.

Most survivors find they can put the crime into perspective if they discuss the assault openly with someone with whom they feel comfortable. Each time you openly discuss the assault, it will likely get easier. From time to time, you will remember the assault and even have flashbacks of the experience. These remembrances are normal and will become less frequent and less intense as time passes.

Your social routine will probably be affected in some way. You need to take things gradually and work your way back to what is normal for you. You may prefer to be alone or you may feel more comfortable with friends or relatives.
If you were assaulted by someone you know (and most victims are), you may have doubts about your judgement and ability to take care of yourself. These doubts may greatly reduce your desire to be around anyone other than trusted relatives or friends. Try not to blame yourself for what happened. After all, you had no way of knowing what was on your acquaintance's or friend's mind. Because you already knew and trusted this person, you had no reason to believe this person had plans to assault or rape you. This person probably worked hard to gain your trust in order to attack you by surprise. Breaking down your guard and ignoring your boundaries was part of the plan.

One very sensitive issue concerns sexual relationships. You may fear being hurt or you may not want to be touched in an intimate way. It is usually best to discuss your sexual fears openly with your spouse or sexual partner. Your partner may be reluctant to resume sexual relations with you out of fear of upsetting you. If you feel a disruption of your marriage or relationship, counseling is strongly recommended.

You will probably feel better if a caring person is there to listen to you. If there is a person close to you who can give you this support, reach out to them. Sometimes, however, people who love you cannot understand exactly what you are going through. They may think it's better for you to forget the assault or to not talk about it. Usually, it helps to talk to an objective caring person. Even with supportive friends and family, counseling is recommended.

**Rape Trauma Syndrome**

Many survivors of rape and sexual assault suffer from some of the symptoms of rape trauma syndrome. The symptoms may include intense feelings of fear, shame, anxiety, self-blame, depression and anger. Some victims feel on guard all the time and may be startled by loud noises and sudden movements. Changes in sleep patterns, difficulty concentrating, loss of appetite, and change in energy level are also common. Phobias and the inability to concentrate may also develop. Some people experience difficulty in controlling their thoughts about the rape. The incident is
constantly on their mind. If they are exposed to a situation similar to the assault, they may experience intense feelings related to the rape. Many times there is a need to temporarily withdraw from previous activities, and there is a loss of interest in self, family, jobs, or hobbies. All energy is used to deal with the rape, and not much is left for anything else. These reactions are normal and usually short-lived.

Immediately after the rape, many women are visibly upset. Other women may appear calm and composed, although they are still quite shaken by the incident. Within the next few days or weeks, many women seem to cope well with their victimization. The survivor may amaze everyone with her strength and her ability to forget the rape. Everything seems back to normal. This stage is normally known as the outward adjustment stage. On the surface everything seems fine, but the woman usually has not resolved the crisis.

Usually something, ranging from a reminder of the assault to another crisis in life, will re-trigger feelings associated with the crisis event. At this point, the victim may experience many of the feelings she had immediately after the assault. Re-experiencing these phobias, sleep disturbances, and intense emotions may make her doubt her sanity. Her family and friends may not understand why she is suddenly so upset. As painful as this stage is, it is necessary for the woman to resolve what happened to her. It is a normal part of the recovery process and should not be taken as a sign of emotional instability or relapse. Counseling will usually help the victim and her family through this difficult period. After the crisis is resolved, the victim may occasionally experience difficulties related to the rape but she usually functions quite normally.

Why a Person Commits Sexual Assault

Rape is a very complex, misunderstood crime. Some people believe rapists are sexually starved perverts who are too insane to control themselves. Other people believe rapists are sexually aroused by the victim's appearance and dress. Neither belief places responsibility for the crime to the attacker. At the center of these myths is a lie—that women
provoke men sexually to the extent that they cannot control themselves. These myths cause women to suffer in silence or blame themselves for the rape.

Men rape for many reasons which have little to do with sexual passion. Rape is not a sexual crime. It is a crime of violence. Experts who work with offenders have identified three types of rapists.

The most common is the power rapist. He usually feels insecure, inadequate, or doubts his masculinity. He has little power or influence in his home, with his friends, or on his job. At the same time, he feels men should have power, control, and influence over others. He may rape to meet his needs for power and control. Other power rapists feel they are entitled to have sexual relations with any woman they choose. To them, women exist only to give sexual satisfaction or to spite men by withholding it. He may have spent money on her or feels she was asking for it. He plans to have sexual intercourse with the woman whether or not she consents.

Often rapists convince their victims that they are "nice guys" before the rape. After the rape, they try to make the victim feel responsible for the crime.

Another type of rapist attacks because he is angry. Something or someone may have made him angry that day. He is under stress and may feel depressed, agitated or frustrated. In order to vent his anger and feel better, he rapes and beats his victim. The rape is an extension of his violence. To the offender, it is the ultimate means of degrading or humiliating someone.

The third type of offender, the sadistic rapist, is the least common. He rapes because he gains sexual satisfaction from tormenting or torturing his victim. The rape is usually planned in advance, and he does not know his victim. Often the victim is severely injured. This rapist seems friendly and personable and often gains his victim's complete trust prior to the rape.

All rapists have several things in common. They have poor relationships with others. They see women as objects. They try to meet non-sexual needs through forced, coerced, or manipulated sexual activities, and rape itself is not sexually fulfilling to them.

Rape is their way of expressing anger or dominance.
How to Help: A Note to Families and Friends

One of the most important factors affecting recovery is the support of family and friends.

After a rape, survivors may be openly upset, even hysterical, or they may feel numb and seemingly calm. The victim needs to:

✓ Seek medical attention
✓ Feel safe
✓ Be believed
✓ Know it was not her fault
✓ Take control of her life

At the same time, if you are a friend or relative, you are probably going through a crisis of your own. Anything that affects someone close to you affects you too.

Sometimes relatives or friends of the victim may have fears that they will be victimized, or they may wish the attack had happened to them. They may feel guilty because they failed to protect their loved one from being attacked. They may want the victim to stop talking about the attack because the victim becomes upset when it is discussed or because they cannot cope with hearing the details again. They may express a desire for revenge or become angry with the justice system's response to the situation. Parents of young children may feel the child will never be normal. Other reactions may include blaming the victim for not being careful.

All these responses are normal, but they do not help the victim’s recovery. At some point you may consider counseling to help you deal with your response to the assault or rape. By working through your problems, you can help your child, wife, partner, or friend recover from the attack. Family Services also offers counseling to relatives and friends of survivors.

Here are a few suggestions to help you aid your relative or friend through their crisis:
✓ **Listen; do not judge.** It is not your place to play prosecutor and make her prove her story. Accept her version of the facts and be supportive. You may have to deal with your feelings separately, if you feel that it was somehow her fault.

✓ **Offer shelter.** If it is at all possible, stay with her at her place or let her stay with you at least one night. This is not the time for her to be alone.

✓ **Be available.** She may need to talk at odd hours, or a great deal at the beginning. She may not have a lot of people she can talk to and she may over-rely on one person. If, at first, the victim is not ready to talk about the assault, make it known that you will be ready to listen later.

✓ **Urge your friend or relative to seek counseling.** There may be issues that cannot be discussed openly without fear of burdening you or hurting you.

✓ **Give comfort.** She needs to be nurtured. However, be sensitive to her needs. She may not want to be touched, or want physical contact, especially at first.

✓ **Reassure her.** This is crucial. Many rape victims blame themselves. She needs to be reassured that the rapist is to blame, not her. Even if questionable decisions were made (in your opinion), or parental rules were broken, no one deserves to become the victim of sexual assault or rape. Blaming will only worsen the problem and hurt the chances for recovery.

✓ **Be patient and understanding.** Recovering from rape is an individual process. If reporting to law enforcement this may involve further painful remembering and experiences. Your awareness of the legal process and support can be very helpful.

✓ **Encourage action.** Suggest she call a hotline, go to the hospital or call the police. Respect whatever decision she makes, but encouraging her to take action can help her regain a sense of control.

✓ **Do not be overly protective.** Encourage her to make her own decisions. She needs to feel in control and this will not be possible if you try to do everything for her.
✓ **Accept her choice of dealing with the rape.** Even if you disagree with what she is doing, it is important that she contacts enforcement agencies. If you are reporting the crime, it is more important that she make her own decisions and have them respected than it is for you to impose what you think is the “right” decision.

✓ **Put aside your feelings and deal with them somewhere else.** Although it is supportive for a rape survivor to know that others are equally upset with what happened, it does her no good if on top of her feelings, she also has to deal with your anger and rage. If you have strong feelings, talk to another friend or call the crisis line. Your feelings of anger at the assailant are normal. However, young children may misinterpret your anger at the assailant as being aimed at them.

Those affected by child sexual abuse and adult assaults can recover. Many women and children, who were victimized in the past, now lead normal lives. They have careers and families and are well adjusted. Counseling and the support of friends and family often plays a major role in their recovery.

**For Men Who Care about Someone Special**

*Anonymous*

This information was written by a man for a man. It will guide you as you assist the partners of victims of sexual assault.

First, you must understand what sexual assault is all about. Statistically, it occurs every two minutes in this country, and the FBI estimates that 80 to 90 percent of all sexual assaults are not reported. Survivors range in age from infants to older adults. Yet some people still assume this brutal assault on women is a sexually motivated crime.

Sexual assault is rooted in the perpetrator’s need to show power through aggression and dominance. Women trapped against their will are coerced, intimidated, and threatened physically to engage in a sex act with an unwanted partner. Many victims report being afraid for their lives; many have been killed. Be thankful your loved one has survived.
Three important questions
1. How is she feeling about being sexually assaulted?

She may be AFRAID...
......of being alone
......of crowds
......of men
......of anything reminding her of the rapist
......of the reactions from people she cares about

She may have DIFFICULTY...
......relating to others (even you)
......expressing affection
......redefining her sexuality

She may have FEELINGS OF...
......anger, outrage, embarrassment
......helplessness and overwhelming dependency
......guilt, worthlessness, shame
......alienation, isolation, withdrawal

2. How are you feeling about the sexual assault?

Don’t make the mistake of discounting or ignoring your own emotional responses. It is important to realize that you, too, are responding to an unwanted crisis. You are trying to understand what has happened and adjust to unfamiliar realities.

Some men take the sexual assault of a loved one very personally, almost as if the assault happened to them, losing perspective and sight of the real victim. Perhaps you feel some resentment or anger that you might unleash on her and everyone in general. Your sense of frustration and helplessness can be pitted against a powerful urge for revenge.

3. How do I communicate with her?

Communication isn’t always easy, even during the best of times, and problems are certainly greater in the aftermath of a sexual assault. Patience is important at this time.
Tough decisions

It’s difficult to decide to report to the police, to collect evidence and proceed with prosecution. It’s easy for you to want to give advice, but you must avoid trying to control the situation and understand that she needs to regain control. Part of that process is for the survivor to make her own decisions. Remember, SHE will experience whatever course of action she chooses. You will not be the one asked to possibly identify the assailant, endure physical examinations, or to testify about the sexual assault before a courtroom full of people.

As her significant other, family member or friend, you can be very valuable to her. You can seek out and provide information that will help her as she thinks about options. For example, you can let her know that reporting the rape and collecting evidence doesn’t automatically lock her into prosecuting. Reporting to the police will help them build a complete picture of the rapist and how he operates. Rapists tend to rape more than once, and any information she can provide may prevent the sexual assault of someone else.

Whatever she decides, she needs to know that she will not be judged, disapproved of, or rejected.

Talking Together

IT IS CRUCIAL THAT YOU DON’T TRY TO MAKE HER TALK ABOUT WHAT HAS HAPPENED. Your goal should be to create an atmosphere where she can talk if she wants to. Make it clear that you are available and willing to listen, but don’t push.

Instead of this... Try this...

“You’re blowing this thing way Validate her painful feelings: “I can out of proportion.” understand how you are still afraid that he might come back.”

“Crying isn’t going to help. Encourage her to express her feelings: “Let it Try to get a grip on yourself.” out . . . I’m here to listen.”
Instead of this...
“Why don’t you get some sleep? You’ll feel better tomorrow.”

“You’re not the first person this has happened to.”

“I warned you this would happen if you kept jogging after dark in those shorts.”

“Look at the bright side - at least you didn’t get an STD.”

Try this...
Encourage her to express her needs:
“Whatever you think would help the most right now is okay with me.”

Support her on her own terms: “I am here for you and want to listen when you feel like talking.”

Help her to let go of any guilt: “There is nothing for you to feel guilty about. No one wants or asks to be raped.”

Follow her lead: Do not try to interject humor or sarcasm. Take your cues from her. If she seems to need to joke a little herself, then you don’t need to be morbid. The key is to be an attentive follower rather than a leader.

Source: C.O.A.R. (Campus Organized Against Rape), University of Florida.
Medical Aspects of Rape and Sexual Assault

In this section of the booklet, we will attempt to answer questions many people have about the medical procedures related to rape and sexual assault. If you have additional questions, please contact your physician or health care provider.

1. Why should I seek medical care if I have been sexually assaulted?
   It is important to seek medical care in order to: (a) obtain treatment for physical and medical injuries; (b) prevent sexually transmitted disease and/or pregnancy; (c) collect evidence needed for prosecution; and, (d) learn about follow-up treatment that may be necessary.

2. Where can I obtain treatment?
   In Forsyth County, you can receive medical treatment at either Forsyth Medical Center or Wake Forest University Baptist Medical Center Emergency Departments. Both hospitals have specially trained nurses, Sexual Assault Nurse Examiners (SANE), who will collect evidence and coordinate your care at the hospital.

3. Can I receive the same treatment at a private gynecologist's office or at a clinic?
   A private gynecologist, family physician, or clinic can often treat medical injuries, perform pelvic exams, prescribe treatment to prevent sexually transmitted diseases or pregnancy, and provide follow-up care for sexual assault victims. Private physicians and clinics are not equipped or trained to collect and preserve evidence. Hospital emergency departments and SANEs have standard procedures for collecting evidence in sexual assault cases. The N.C. State Bureau of Investigation furnishes hospitals with "sexual assault kits" that contain the necessary supplies to obtain evidence. The collection of evidence must meet rigid legal requirements, and it would be difficult for a family doctor or clinic to meet these requirements.
4. I am not sure I want to prosecute. Should I still go to the hospital?

Yes! It is vital that physical injuries are treated; however, some injuries may not be immediately visible and a medical professional can assess your condition. If you go to the hospital, but are not sure about pressing charges, the evidence can still be collected, given to the police and stored by them.* If you decide to prosecute at a later date, the evidence is available. However, if the evidence is not collected, it is difficult to prosecute.

*A “Jane Doe Rape Kit” is the common name for the evidence collected during a sexual assault examination of a victim who chooses to remain anonymous. The kit is assigned a code number should the victim decide to proceed with prosecution later (US Dept. of Justice, Office on Violence Against Women, May 2008.).

5. If I go to the hospital, will the police be notified?

Both Forsyth Medical Center and Wake Forest University Baptist Medical Center will notify the police at the patient’s request or as mandated by law. However, you do not have to talk to them if you do not want to and evidence can be collected and stored anonymously. You can make a report without making a decision about prosecution at this time.

6. Can I wait a few days before I go to the hospital?

It is important for you to obtain medical treatment as soon after the assault as possible, even if you decide that you do not want evidence collected. However, in certain circumstances, some evidence may be collected up to five (5) days after the assault. If at all possible, you should not change clothes, bathe, douche, brush your teeth, or use the bathroom before going to the hospital. However, in certain circumstances, even if you do any of the above, it’s possible that evidence may still be collected. Consult with your local hospital Emergency Department for further details.

If you have changed clothes, take the clothes you were wearing at the time of the assault with you to the hospital. If you have not changed clothing, take a change of clean clothing with you to wear home. Your
clothing and undergarments are considered potentially valuable evidence and will need to be turned over to law enforcement.

The sooner you receive treatment and evidence is collected, the better it is for you and your case if you decide to prosecute.

7. **I want to go to the hospital, but I do not want to wait for hours in the waiting room with other people looking at me.**

Both hospitals are sensitive to the survivor’s need for privacy and respect. Sexual assault cases are given high priority. You will be taken to a private room in the emergency department. A friend, relative, or Family Services Advocate can be called to come to the hospital to be with you at your request.

8. **I am under 18; can I receive treatment without my family finding out?**

You may be treated for pregnancy and sexually transmitted diseases without parental consent. However, if you are injured and require treatment, your parents or guardian must consent to treatment if you are under 16. If you are 16 to 18 and married or living on your own, this requirement may be waived. Private physicians or clinics will sometimes treat minors without parental consent.

9. **Will I have to tell the doctor or nurse details of the assault?**

You will need to tell one or two nurses that you have been raped, but you do not need to tell them the details. The doctor will need to ask you some questions in order to be sure you have not been physically injured nor have any healthcare problems as a result of the assault. The SANE is the one you will need to tell the details of the assault to. All of the professionals who will care for you are sensitive to your needs for privacy and are not being nosy.

10. **What will I need to tell hospital personnel?**

When you arrive, the nurse and doctor will ask you questions about your health. You should be prepared to give them the following information:
• Details of your past medical history, i.e., major illnesses, drug allergies, current medications taken, last menstrual period, and form of birth control.
• Details of any injuries as a result of the assault, i.e., cuts, bruises, pain, numbness.

11. What kind of examination is performed?

Prior to any examination or evidence collection, the SANE will explain what is going to happen and obtain your consent to have evidence collected. The SANE will perform a forensic examination for the purpose of collecting evidence. Prior to the examination the SANE will ask you detailed questions about the assault. This will be difficult for you, but the information is necessary to assure proper evidence collection.

The SANE will examine you from head to toe, note any injuries and photograph them. An important part of the examination includes the use of a colposcope, or camera with a telephoto lens. These pieces of equipment can magnify an area of the body and take a picture of tiny injuries that are often not seen by the naked eye. This allows the SANE to carefully examine your genitalia, externally and internally, visualize and document any injuries.

In order to check for internal injuries and to collect evidence, the SANE will insert an instrument called a speculum into your vagina and with the use of the colposcope or camera, visually inspect your vaginal walls and cervix for injuries. The nurse will also collect secretions of vaginal fluids to test for the presence of sperm or semen.

12. What kind of evidence is collected?

Vaginal secretions will be tested for the presence of sperm and/or semen. These samples will be tested against the suspect’s sperm and blood type to link him to the crime. The presence of sperm helps corroborate your statement that a sexual assault occurred and can help identify an assailant but sperm does not have to be found to convict an assailant of rape.

If you were forced or coerced to have anal or oral sex, tell the SANE. Anal and oral samples should be collected and analyzed.
Samples of your hair and blood will also be taken to link a possible suspect to the crime.

These tests and procedures may seem embarrassing or unnecessary, but they are used in court to corroborate your testimony and identify or eliminate suspects. Without the tests, many cases would be difficult to prove.

13. **What other tests are done at the hospital?**

A pregnancy test is done. The test only indicates if you were pregnant *at the time of the assault*. A test for pregnancy can be accurate 5 days after conception. A follow-up test is necessary to determine if the rape resulted in pregnancy.

14. **What will be done about sexually transmitted diseases?**

You will not be tested for sexually transmitted diseases (STD's). Instead you will be given medication to prevent the diseases. If you are given oral medication or a prescription, it is important to take it exactly as it is prescribed. Failure to follow instructions can be dangerous and make the treatment ineffective. It is recommended that you have a follow-up examination and testing done in four to six weeks to be sure you have not contracted a disease as a result of the assault. This can be done at the STD Clinic at the Forsyth County Department of Public Health or your health care provider’s office.

15. **Can I catch AIDS from being raped or assaulted?**

It is possible to contract the HIV virus from the perpetrator if the perpetrator is infected with the virus. HIV testing is not routinely done at the hospital following an assault. Testing done immediately following an assault would only indicate if you were HIV positive at the time of the assault. It is recommended that you be tested four to six (4 to 6) weeks, three (3) months, and again at six (6) months following a sexual assault to determine if the virus was transmitted at the time of the assault. This can be arranged by calling the Forsyth County Department of Public Health at (336) 703-3100 or contacting the Department of Public Health in your county.
16. What can be done to prevent pregnancy?

After a pregnancy test is performed, if you are not pregnant, you will be asked if you would like to take the “morningafter pill” (also called Plan B) to prevent pregnancy.

17. What is the morning-after pill?

The morning-after pill is a powerful female hormone used to keep a fertilized egg from being released by the ovary and implanted on the walls of the uterus. This method is most effective if taken within seventy two (72) hours of unprotected intercourse. It is recommended that you have a follow up pregnancy test four to six (4 to 6) weeks following the assault. You may experience nausea after taking the morning after pill, but you can be given medication to help with this. It is important to take the pills as directed.

18. What are the signs I may have been the victim of a date rape drug?

Common “date rape drugs” include: Rohypnol (known as “Roofies”); GHB (known as “G” or “Easy Lay”); Ketamine (known as “Special K” or “Bump”). Many of these drugs are odorless and colorless when put into a drink. Even over-the-counter, common medications, prescription medications, alcohol and combinations of these substances can be used to facilitate sexual assault. Signs that you have been drugged include:

- Feeling more intoxicated than your usual response to the amount of alcohol you consumed. Or you feel intoxicated and you had NO alcohol, but did drink something.
- Suddenly getting sick or throwing up soon after having a drink of any kind.
- Experiencing difficulty breathing or moving.
- Feeling confused when you wake up, experiencing memory lapse and cannot account for a period of time.
- The only way to know for sure if you were drugged is to be tested.
19. How will the expenses for these procedures be paid?

The Rape Victims Compensation fund provides a portion of the costs for your forensic-medical examination. If you have insurance, Medicare or Medicaid, medical costs not covered by the RVC fund may be billed to your insurance. You may also be eligible to apply for assistance form the NC Victim’s Compensation Commission. For further information, assistance, guidelines or qualifications in filing, contact Family Services at (336) 722-8173.

20. Why should I seek follow-up care?

You will need to be tested for sexually transmitted diseases and/or pregnancy four to six (4 to 6) weeks after the attack. This is very important. You should also see a health care provider if you experience signs of infection, unusual vaginal discharge, abdominal pain, bleeding, a delay in your menstrual period, or other unusual physical problems.

Many survivors of sexual assault frequently experience sleep disturbance, anxiety and irritability that can disrupt their lives. It is recommended you seek counseling to help you deal with these feelings.

21. What if I am pregnant as a result of the rape?

You are not alone if you become pregnant as the result of an assault. Family Services offers pregnancy counseling and support. Call (336) 722-8173 and ask for Pregnancy Counseling Services.
Legal Procedures

Deciding what to do if you are raped or sexually assaulted.

Although you have just experienced one of the most traumatic, emotional shocks that can occur, it is still a time when you must make decisions about reporting the crime to law enforcement. Here is a list of options you have concerning reporting the crime.

(1) You may immediately file a report with the proper law enforcement agency. Be aware that once charges are filed, the information is a matter of public record.

(2) You may report the crime to the police and discuss details of the assault before making a decision to file a formal complaint. Evidence can be collected and stored until you decide what you want to do. Your name will be kept confidential if requested.

(3) If you feel you cannot or do not want to press charges, some law enforcement agencies will accept a “blind report” of the crime. Your identity is not revealed, but the police can obtain a description of the assailant and the assault. While the police cannot investigate the case without knowing your identity, the reports may assist authorities in identifying a rapist who repeats his crime. The “Jane Doe” kit is also a similar option.

(4) Survivors of sexual assault may be able to seek protection through a civil restraining order (50B and 50C).

What is Rape?

While most people label a wide variety of sexual offenses as rape, the term actually has a narrow legal meaning. Under N.C. law, a person is guilty of rape if there is vaginal intercourse by force and against the will of the other person. The slightest penetration is considered rape. Ejaculation does not have to occur. Other sex offenses are not called rape, but are regarded as equally serious crimes. All crimes can and should be reported to law enforcement agencies. If you are reporting a crime, do not worry about legalities. Just report the facts as you remember them.
**Statutory Rape**

Statutory rape is the unlawful vaginal intercourse with a female under the age of consent. The offense may be either with or without the female's consent. There are three different categories of statutory rape each carrying a different penalty based on the age of the victim and the defendant.

1. **First Degree Statutory Rape (Class B1 Felony):**
   The victim is under 13 years old and the defendant is 4 years older than the victim and at least 12 years old.

2. **Statutory Rape of 13, 14, or 15 Year Old (Class B1 Felony):**
   The victim is 13, 14 or 15 years old and the defendant is 6 years older than the victim.

3. **Statutory Rape of 13, 14, or 15 Year Old (Class C Felony):**
   The victim is 13, 14 or 15 years old and the defendant is more than four but less than six years older than the victim.

**First Degree Sexual Offense**

Engaging in a sexual act with a victim under the age of 13; or with a person by force and against the will of the other person and using a dangerous weapon or an object the victim believes to be a deadly weapon or is aided by one or more persons.

**Indecent Liberties**

If a person 16 years or older and at least 5 years older than the victim, either takes or attempts to take any immoral, improper or indecent liberties with a child under 16 years old of either sex for the purpose of arousing or gratifying sexual desires; or commits or attempts to commit any lewd or lascivious acts upon or with the body or any part of the body of a child of either sex under 16 years of age.

**First Degree Rape**

Engaging in vaginal intercourse with a person by force and against their will, and the defendant used or displayed a dangerous weapon or inflicted serous personal injury upon the victim or
another person; or to commit the offense aided by one or more persons. The slightest penetration is sufficient to violate the statute.

**Second Degree Rape**
To engage in vaginal intercourse by force against the will of the other person; or with a person who is mentally disabled, mentally incapacitated or physically helpless; and the defendant knows the victim’s physical or mental disability.

**Marital Rape**
It is now a crime in North Carolina for a husband to rape (forced vaginal intercourse) his wife, regardless of whether they are living together or separated.

**Child Sexual Abuse**
Child sexual abuse refers to sexual activity forced upon someone under 16 years of age. Usually an older individual uses tricks, bribes, threats, or physical force to make a child submit. Children are usually taught that older people have power and authority over them, so children do not feel like they have a choice in such situations. Sexual abuse is much more than rape, which is forced intercourse. It refers to a wide range of sexual encounters including, but not limited to, exhibitionism or exposure, kissing, fondling, oral sex, rape, and pornography.

Child sexual abuse should not be confused with physical contacts between an adult and a child that are playful expressions of love. Responsible adults automatically limit their physical exchanges with a child, thereby, respecting the child and at the same time maintaining a warm, healthy, affectionate relationship. This is not a legal charge.

**Incest**
Incest refers to everything included in child sexual abuse, but indicates that the sexual contact is between family members, such as a child and parent, brother, sister, aunt, uncle or stepparents.
Giving Consent

Sexual Consent is a voluntary, positive agreement between participants to engage in sexual activity. It is also permission for something to happen or agree to do something.

**Communicating Consent**

Consent has not been given in the absence of clear, positive agreement. Verbal communication prior to engaging in sex helps to explain consent. Communicating verbally before engaging in sexual activity is important. Although it may be awkward, talking about your own and your partner's sexual desires, needs, and limitations provide a foundation for a positive experience. Consent must be clear for each participant at every stage of a sexual encounter. The absence of "no" should not be understood to mean there is consent.

**Red Flags of Non-Consensual Sex**

- Someone who is under the influence of alcohol and/or drugs is not capable of giving proper sexual consent. The use of alcohol or drugs may seriously affect the participants' judgment about consent.

- Consent has not been gained when someone has been forced, manipulated or has reasonable fear that they will be injured if they do not comply.

- According to North Carolina state law, consent cannot be given in a relationship where the perpetrator is in an authoritative position over a student, regardless of age. This may include but is not limited to; a teacher, coach, or principal.

- Consent has not been given if a person has a mental or physical disability that may interfere with their ability to give clear consent.
How to Report a Rape or Sexual Assault

If the attack took place inside the city limits, it should be reported to the local police department. Crimes occurring in the county should be reported to the Sheriff’s Office. If you do not know whom to call, any law enforcement office will refer you to the proper authorities.

Role of Law Enforcement at the Scene of the Rape

When a law enforcement office is called to the scene of the crime, they are there to:

1. Protect you
2. Try to arrest a suspect
3. Gather evidence in order to prosecute

Law enforcement officers are responsible for helping you, but they also need your help. You will need to tell these officers as much as you can about your attacker. This information will aid the officers in the apprehending the suspect. The officers will take you to the emergency department of Forsyth Memorial Hospital or Wake Forest University Baptist Medical Center for a medical examination. You may request to talk to a female officer if you prefer.

Role of Law Enforcement after the medical examination

After the medical examination, you may prefer to go home and rest. However, the police officers need to know the details of the assault. They must ask you questions that may be embarrassing and intimate in order to identify a suspect and build the case. These questions are routine and are not meant to embarrass you. In all cases you should be treated with respect, dignity and compassion.

If you are too tired or too upset to answer these questions, the officer can interview you at a later time. If you remember any new details, try to write them down. They may be critical to your case. Although the police or District Attorney’s office may interview you several times, you do not have to discuss the details of the case with anyone else. Under no circumstances
do you have to talk to your attacker’s attorney or his family members. You may also contact Family Services to assist with this process.

The Decision to Prosecute

The decision to prosecute the suspect is a difficult one to make and it requires many people and their input. The detective assigned to the case will gather the information. During this process, you may be interviewed several times. After the initial investigation (which may be quite lengthy) the detective will present the evidence and facts of the case to the District Attorney. The final decision to prosecute lies with you (the victim) and the District Attorney. You can discuss any doubts you have with law enforcement officers, the District Attorney’s office or advocates from Family Services.

After the decision to prosecute has been made, you should be prepared to carry the case through to trial. Advocates from Family Services will be available to assist and support you with this process.

In many instances, victims are disappointed when civil and criminal options do not lead to perceived justice and therefore hampers healing. Keep in mind that healing can take place regardless of successful or unsuccessful prosecution.
Steps in Prosecution

Decision to Prosecute
  →
Arrest Warrant Issued
  →
Suspect Arrested
  →
Bond is Set
  →
Preliminary Hearing
  →
Grand Jury Hearing
  →
Arraignment
  ↘
Defendant Pleads Guilty
    →
Sentencing
  ↘
Defendant Pleads Not Guilty
    →
Case Goes to Superior Court for Trial
      ↘
Convicted
        →
Defendant Sentenced
      ↘
Not Convicted
        →
Defendant Released
Courtroom Procedures

The Arrest
After a decision to prosecute has been made by the victim, law enforcement and the district attorney’s office may issue an arrest warrant for the accused. Usually the victim swears or affirms the facts in front of a magistrate before the warrant is issued. The accused has a right to have bail set for him once arrested. If he can put up bail, he usually is released from jail.

Preliminary Hearing
After the arrest, a probable cause (preliminary) hearing in District Court is usually held. The accused will be at this hearing but does not have to testify. You and the law enforcement officers will testify so the judge can determine whether there is enough evidence against the defendant to proceed to trial at the Superior Court level. There is not a jury at this hearing. Sometimes this hearing is waived. An advocate from Family Services can accompany you to this hearing and all other court procedures if you request it.

Grand Jury
A Grand Jury hearing must be held for a case to come to trial. It is similar to the probable cause hearing in that it determines if there is enough evidence that the accused committed the crime.

The Grand Jury meets privately to review the evidence.

Arraignment
If the accused is indicted by the grand Jury, he is arraigned in court to plead either "not guilty" or "guilty." Many rape and sexual assault cases end in guilty pleas. The victim has a right to be in court at the time of arraignment. Victims are asked to complete a victim impact statement in advance of the arraignment date in order that the emotional, financial, and physical impact of the crime on the victim can be presented. The damages
suffered by the victim can influence the sentence the defendant receives if he pleads guilty or is later convicted in Superior Court.

**Plea Bargains**

In some cases the defendant may plead guilty to a lesser offense and receive a less severe punishment. This plea-bargaining may occur if the victim does not want to testify in court or if the evidence appears too weak to convict the defendant. By allowing the defendant to plead guilty to a lesser charge, it is assured that he will receive some punishment. The District Attorney's office considers the feelings of the victim in making these decisions, but the final decision is up to the District Attorney’s Office.

**The Trial**

If the case goes to trial, you will be required to describe before the judge and jury the details of the assault.

You will be questioned by the defendant's attorney and it is his/her job to prove either the defendant was not the man who raped you, or that you consented to sexual relations with the defendant. Although he may try to discredit your testimony, questions usually cannot be asked about your past sexual behavior. Before any questions of this kind can be asked, the judge will rule on their relevance to the case.

If the defendant is found guilty, he is sentenced by the judge. The length of his sentence depends on the charges.

**Bail and/or Bond**

The bail and/or bond insure the release of the defendant by requiring money to be deposited. This insures future attendance in court. It also requires that the defendant remain within the jurisdiction of the court. If the defendant does not appear for court, the money may be given to the benefit of the schools.
Sex/Human Trafficking

There is no official estimate of the total number of victims of trafficking; however, it is estimated that nationally, the number of victims reaches into the hundreds of thousand when estimates include both adults and minors of sex and labor trafficking. Statistics provided by the National Center for Missing & Exploited Children estimate that 1 in 6 endangered runaways reported to them were likely sex trafficking victims.

Sex trafficking exists throughout the United States, and traffickers use violence, threats, lies, debt bondage, and other forms of coercion. Trafficking spans all demographic;, however, some populations are more susceptible.

In this modern-day slavery, traffickers use force, fraud, or coercion to control a victim for purpose of engaging in commercial sex acts or labor services against a person’s will. Sex trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for the purposes of a commercial sex act. Labor trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor of services.

Indicators

Work and Living Arrangements
✓ May be living with their employers and are not free to leave or come and go as she/he wishes
✓ Poor living conditions and/or multiple people residing in a small space
✓ Identity documents in the possession of employer
✓ False promises used for recruitment and employment
✓ Unpaid or very little pay
✓ Under the age of 18 and providing commercial sex acts
✓ Scripted or rehearsed answers
✓ Signs of physical abuse
✓ Submissive or fearful

Mental Health
✓ Fearful, anxious, depressed, submissive or tense
✓ Avoids eye contact
✓ Unusual fear or anxious in the presence of law enforcement
Physical Health
✓ Poor health care
✓ Malnourished appearance
✓ Signs of physical and/or sexual abuse, physical restraint, confinement

Lack of Control
✓ Few or no personal possessions
✓ No control over finances
✓ No control over identification documents
✓ Third party present during interactions

Others
✓ Lack of knowledge of whereabouts
✓ Loss of sense of time
✓ Inconsistencies in his/her story

Trafficking exist because of a demand for cheap labor, services and commercial sex. Traffickers believe that there is little risk and penalties and the financial reward outweigh the risk. In addition, individuals are willing to buy commercial sex and forced labor creates a profit incentive for trafficker.

You have rights.
Consider these questions.
• Has someone ever paid for your time?
• Have you been told you owe a debt?
• Are only allowed to come and go at certain times?
• Has someone asked you to have sex with their friend as a favor to them?
• Does someone check your cell phone?
• Did anyone ever take legal papers from you (passport, visa, driver’s license)?
• Do you feel that you could not leave your current work if you wanted to?

If you answer “yes,” contact Family Services. Human trafficking victims
may contact one of the agency’s crisis lines (336) 723-8125 or (336) 722 – 4457 for additional help or support.

Other resources include:

- World Relief High Point 336- 887-9007
- National Human Trafficking Resource Center Hotline 1-888-373-7888

*Adapted from publications from the National Human Trafficking Resource Center (Polaris Project)*
## Places to Contact

**Family Services Sexual Assault**  
24-hour Crisis Line……… *(336) 722-4457*

### Forsyth County
- **Forsyth Medical Center, Emergency Department**  
  (336) 718-2001
- **WFU Baptist Medical Center, Emergency Department**  
  (336) 713-9000
- **Forsyth County District Attorney's Office**  
  (336) 779-6310
- **Winston Salem Police Department, Victim Assistance Office**  
  (336) 773-7860
- **Forsyth County Sheriff’s Office (Ask for Victim Assistance)**  
  (336) 917-7001
- **Kernersville Police Department**  
  (336) 996-3177
- **Safe on Seven**  
  (336) 779-6320
- **Legal Aid of North Carolina**  
  (336) 725-9162
- **Vantage Point Child Advocacy Center**  
  (336) 354-1067
- **World Relief (Human Trafficking)**  
  (336) 887-9007
- **Family Services Domestic Violence 24- Hour Crisis Line**  
  (336) 723-8125

### National Hotlines
- **Rape, Abuse, and Incest National Hotline**  
  *(800) 656-HOPE*
- **Domestic Violence Hotline**  
  *(800) 799-SAFE*
Family Services
Safe Relationships Division

Main Administrative and Counseling Office
1200 S. Broad Street
Winston-Salem, NC 27101
Phone: (336) 722-8173
FAX: (336) 724-6491
www.familyservicesforsyth.org

Family Services has been a champion of women, children and families since 1905. As a private, non-profit, tax-exempt organization, we are dedicated to providing services and building solutions that ensure the safety, security, and well-being of people in Forsyth County, North Carolina.