

Knowledge is Power...Especially for a Victim

Sexual Assault and rape are not easy subjects to talk about. This one fact alone accounts for the hesitancy of some victims to even report their assault. It also accounts for the fact that rape is now a global epidemic, and continues unabated throughout the world, as it festers in the dark silence. There are, however, ways we can change that.

There are 5 points of contact that every reported rape victim will encounter: a neighbor, friend or family member; law enforcement personnel, medical personnel, the media, the justice system. The impact of each of these systems upon the victim is crucial, not only in her personal healing, but also in ending the culture of rape. Let's examine each system.

1. Confidants - Most victims will confide in someone, be it a neighbor, friend or family member. Many times the admission is immediate, many times the victim doesn't speak of it for a prolonged time. When a victim does confide in a trusted person, the demeanor of that person is crucial. The person confided in must show by facial expression, words of comfort and compassion, and offer of help that they believe the victim to be telling the truth. It is very, very rare that a victim will falsely report rape. Give her the benefit of the doubt until it is proven otherwise.
- 2, Law Enforcement - Law enforcement officers are usually trained in how to interface with a victim of sexual assault. The training, however, is not always deep enough, or practiced enough, to be of assistance to the victim. Officers should be trained in a more in-depth manner in order to fully assist the victim. Professionalism and empathy must always be evident in an officer's demeanor. No hint of judgment or blame can be tolerated by a victim already in the throes of self hatred, confusion, and grief.
3. Medical Personnel - The designation of S.A.N.E. nurses means that nurse has been specially trained to gather evidence of sexual assault. The acronym stands for Sexual Assault Nurse Examiner. These are registered nurses who have completed training in specialized medical forensic care. A S.A.N.E practitioner should always be the one who examines a sexual assault victim.
4. Media - Media will not use the name of the victim, or show a picture of the victim, primarily because they don't want to be sued. In today's environment of explicit media coverage names of victims are still sacrosanct. The text and its tone and choice of words, however, is not always beneficial to the victim. It is usually best for a victim to forego giving information to a journalist until they have had time to process the assault.

5. The Judicial System - If a sexual assault case goes to court, the components of the judicial system a victim will likely encounter are: Prosecutor, Judge, attorney for the defendant, Jury.

Confidant - If the victim is able to confide in someone, there are behaviors that hasten a victim's healing, and behaviors that deter her healing. If you are ever place in a position of hearing a victim's story there are two main behaviors that are necessary. First, believe her. Second, maintain confidentiality until such time as you are questioned by law enforcement or asked to testify in court.

The prosecutor is the attorney for the state. It is the state, and not the victim, that is bringing charges against the defendant. Prosecutors can sometimes seem callous because they generally are far removed from the emotions that run high in both the victim and the defendant. They strictly deal in the facts that are gathered by law enforcement. Usually they depend upon the taped statement by the victim to law enforcement, and rarely question the victim directly. If the victim believes the prosecutor cannot perform his duties for some reason, she may address the court and ask for a 'special prosecutor.'

The judge at trial will not encounter the victim directly, but rather preside over the court trial, admitting or denying evidence and statements from witnesses, character witnesses, and the victim. If the defendant is found guilty, the judge will deliver the sentence.

Attorney for the defendant is just that; the legal counsel for the perpetrator. He may have been appointed by the judge if he is indigent, or he may procure his own attorney. In either case, his attorney will do whatever it takes to prove his innocence. That includes asking trick questions when the victim is on the stand, and trying to prove that any evidence of the crime is false. Victims will often feel personally attacked, humiliated, and disbelieved upon questioning by this attorney.

The jury The decides the guilt or innocence of the defendant.

The American judicial system is not perfect, but it is the one we have. It may not be as good as some, but it is better than most. If each component of the system has done their job; the forensic medical evidence is correctly gathered, the law enforcement statement is correctly recorded and reported, any confidential witnesses testify at trial, and the prosecutor conducts the delivery of the evidence correctly, then usually a guilty verdict is assured. There is, of course, always room for improvement. A victim should know that at any point in the reporting of a sexual assault, if she is not treated in the right way, she can call on any number of agencies to help her. Most towns and cities have at least one crisis center, and there are numerous other agencies designed to help in these situations.

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It is not any easy thing to talk about. It is not easy to go through the process of reporting. It is not easy to go through the court system. It is easier, however, if you are armed with knowledge of the whole process, and your rights as a victim.