

PAVE: The Decision to Report

Preamble

After a sexual assault many victims are faced with the decision whether to report the crime. While some people may think the choice is easy, we understand that it is not. Reporting a sexually based crime can be very personal and many people are aware of the stereotypes they may face when reporting. The purpose of this document is to provide suggestions for how to approach reporting while mitigating re-victimization so that it may be an empowering experience for victims. The courage of victims to report the crime spares future victims and protects our communities from violent perpetrators.

Why Report?

Reporting is a way to empower oneself and protect others from future harm. Sexual assault has often been labeled a silent crime since many victims feel they cannot speak out against what happened. There are a variety of reasons for this silence, which include but are not limited to: fear of not being believed, fear of being blamed, confusion about what constitutes sexual assault, having been harmed by someone they know or love, etc.

“I wanted so badly to push everything that happened to the back of my mind. The shame that I felt prevented me from telling anyone and I eventually convinced myself that it was my fault – if I hadn’t gone to his house, this never would have happened, etc. The pain, however, was still there.”

- Anonymous

After an assault, victims are faced with classifying their experience. Many may choose to forget the experience, or may put it behind them possibly feeling that nothing can be done anyways or that it was their fault. There is often great dissonance in accepting that one has been sexually assaulted. Victims must come to terms within themselves that a crime has occurred and realize that it *was not their fault* before they can fully feel empowered and justified in reporting there crime.

“Once I realized that I was in fact a victim, I wanted nothing else than to let the police know who this man was. Through a network of friends, I learned that the man who had assaulted me had done so to several other women as well, which hurt me to know. I decided to report to prevent this man from hurting more women....”

- Anonymous

As expressed by the survivor above, even after realizing that a crime has been done to her, the strongest rationalization for coming forward with the crime was protecting others. Sexual offenders who are not caught often go on to perpetrate more crimes. A recent study by Dr. David Lisak & Paul Miller (2002) found that undetected rapists had an average of 5.8 victims. The 120 rapists in their study were responsible for “1,225 separate acts of interpersonal violence, including rape, battery, and child physical and sexual abuse” and were still walking the streets. One can conclude from such finding that sexual violence may not be limited to one victim or one occurrence, rather it is a pervasive problem that will continue under silence. While

victims go through so much with their own recovery after an assault, finding the courage to break the silence of their victimization may save others from the same harm.

How to Report?

Having support is a crucial first step in making the decision to report. Whether it is a friend, family member, partner, religious group, etc., having someone who supports you and is there for you will help keep you strong. Some may feel they do not have anyone to support them or are afraid they will be alienated because of their assault. These fears can be valid, and there are many organizations to support and provide advocates for you if this is a concern, such as your local Rape Crisis Center.

“Being the victim of sexual assault is one of the hardest things I have had to go through, both physically and emotionally. My decision to report was one of the most fulfilling things I’ve done, but it took an entire year and a lot of support to do so.”

- Anonymous

After finding support, the best advice is to know what rights you have as a victim. While rights vary from state to state, local agencies and national agencies (such as the [National Organization for Victim Assistance](#)) can provide you with that information. Knowing your rights helps prepare you for what you *should* expect coming into the criminal justice system. For example, a right to have an advocate accompany you and be present during questioning may help you if do not feel comfortable with the officers assigned to your case or the process overall.

“Looking back, support and education are the most important resources to have when reporting. Initially, I had no idea what to expect when walking into the police station – what kind of questions they would ask, what information I would need, or even what my rights were!”

- Anonymous

Reporting an assault requires retelling the experience and providing details many times. This process can be difficult and having a counseling service or other support help victims continue through the process. To prepare for reporting, victims may want to write down their story word for word, trying to remember all the details while in a safe and comfortable environment¹. During reporting victims are questioned for information that will help the case, which is an experience that can feel uncomfortable or worse.

“Honestly, reporting is terrifying, and yes, the truth is that you will most likely face revictimization, and that it will be another challenge in your life, but the challenge can teach you so much about yourself, and allow you to regain so much power, because of the amount of advocating you must do for yourself.”

- Abby P.

¹ This is just a suggestion; if such writings are kept and preserved they may be entered into evidence, something to be aware of if you decided to write your experience and whether or not you want to preserve that document

Going through your experience beforehand allows you to prepare for what you will remember, and including details will help you for the questions officers may ask. While sexual violation is very personal, questions will be asked about the specifics of what was done, where things occurred, where on the body sexual contact was made, etc. Putting it on paper may be a helpful first step before having to say it out loud, a process that can be difficult especially in front of strangers.

It is not possible to prepare for all you may face internally or in the criminal justice system when reporting, the above information is intended to help you know something about the process so you may feel empowered through your voice. Shattering the silence IS a way to end the violence and often helps victims take the first step towards becoming a survivor.

FAQ:

- Have I waited too long to report?

While the statute of limitations² varies from state to state, a sexual assault is always worth reporting as it may not be the first report for the offender that they have received, or may be helpful if there is another report after you have come forward. To help remove the statute of limitations in your state, please get involved in the *Report It! Campaign* with [PAVE](#)

- Where should I report?

It is recommended you do it within the police district it occurred in or other appropriate agencies at your institution, such as the Dean of Students Office at a university or college. If it is not possible to report under the jurisdiction it occurred in, please call or go to your local police station or Rape Crisis Center to see if they may be able to help by taking the case or referring it on.

- Is there enough evidence?

This is a decision made by local law enforcement and depends on the laws of your state. Even if nothing results after you have reported your crime, the authorities have been alerted to a potential perpetrator which may become important in future cases.

- What should I say when I go to the local police station?

State that you are reporting a “sensitive crime” if you do not feel comfortable saying it was a sexual assault or that you were the victim. You are entitled to speak with a detective for sensitive crimes, so do not feel pressured to go into detail with anyone else! A crime occurred, you are reporting it to the proper department.

- Do I need a lawyer?

² Statutes of Limitations are a time-frame in which certain crimes must be reported. Some states have no statute of limitation (like Virginia), however others do; there may be ways to overcome these statutes in certain cases, please consult a local attorney for legal advice on the matter

You may. Although it is not necessary, a lawyer is a very helpful advocate to make sure you are treated with “dignity and respect” as is your right throughout the process - an attorney can help make sure your other rights are enforced. If hiring an attorney is not possible or desired, there are advocacy organizations that may provide legal advocates who can assist you in the process of reporting.

- What happens after I report?

There are a variety of possible answers to this question. Local law enforcement and/or advocacy agencies can best assist you with this question. It is your right to know what next steps are being taken by a law enforcement agency or other agency that takes reports. It is helpful to log dates, times and conversations to make sure your report is handled properly.

- What happens if I am not satisfied with my experience reporting?

Police stations allow complaints to be filed about how an officer has handled a case and there are also offices of lawyer regulation if you are dissatisfied with an attorneys handling of the matter. Additionally the Office of Civil Rights has a complaint process when colleges or universities do not properly handle your complaint. PAVE recommends contacting Security on Campus, Inc. to receive assistance with the OCR complaint process. Regardless of the institution or individual you are dissatisfied with, it may be best to seek legal counsel or inquire at local agencies for more specific advice.

PAVE gives a special thanks to the survivors who have been willing to share their experience for this document, thank you for your courage to shatter the silence