

## What to Expect: Those Who Choose to Report After Experiencing Sexual Violence



Just as everyone's experience with sexual violence is different, the ways in which survivors process and take steps toward healing can also vary greatly. One major decision point that survivors might struggle with is deciding if they want to report their experience with sexual violence through institutional pathways. This might include steps like getting a rape kit done at the hospital, filing a police report, and/or legal proceedings. Whatever is decided, that choice should be made by the survivor, and the survivor only. There is no "correct" pathway to healing, and justice looks different to different people. If you are a survivor struggling over whether or not to report, know that whatever you decide is valid. If you are supporting someone struggling with this decision, be sure not to pressure them in either direction and affirm wherever they land.

If you or your loved one ultimately decides to report an experience of sexual violence, it's helpful to have an idea of what to expect along the way so you can be as mentally, physically, and emotionally prepared as possible. By design, it's not the easiest process to navigate, which contributes to the statistic that for every 1000 instances of rape, only 13 cases get referred to a prosecutor and only 7 cases lead to a felony conviction. Moreover, even though women, transgender, and gender nonconforming people of color experiencing sexual violence at higher rates than white women, 80% of rapes are reported by white women. Relationships with police and medical professionals, institutional racism and transphobia, access to resources, stigma, and community pressure are all significant factors when deciding whether or not to engage with state systems.

Whether you're an ally or a survivor, learning as much as possible about what happens when someone reports is a great step in demystifying the process and lowering the threshold of intimidation for those about to go through it.

### Ok, So What Happens?

#### Sexual Assault Medical Forensic Exam

The unfortunate nature of gathering evidence after sexual assault is that much of it is time sensitive, a reality that is often at odds with the mental, physical, and emotional capabilities of someone living through an intense trauma. That said, the sooner you get to the hospital, the more options you will have down the road if you ultimately decide you want to report. Remember, it is your choice if you want to provide the evidence to the police; getting the exam does not mean you need to provide that evidence to authorities. If you decide to get a sexual assault medical forensic exam, more colloquially known as a rape kit or Sexual Assault Evidence Kit (SAEK), here are some things to expect:

- The exam is long, usually lasting several hours, and will likely be triggering given the intensity and thoroughness of the kit. If possible, bring a friend or advocate with you for support.

- The exam begins with attending to immediate medical needs, followed next by a medical history and a verbal recounting of the assault.
- The main part of the exam is the head-to-toe forensic examination. Internal examination of the vagina, mouth, and/or anus might occur. Additionally, biological evidence will be collected such as blood samples, swabs, urine, and hair samples. Pictures of your body might be taken to document injuries, and items of clothing might be collected to gather evidence of anywhere the perpetrator could have left DNA.
- Many hospitals have medical professionals specially trained in trauma-informed care who will be performing the exam, such as Sexual Assault Nurse Examiners (SANEs), Sexual Assault Forensic Examiners (SAFEs), and Sexual Assault Examiners (SAEs). However, not every hospital does, so you might want to have a friend or advocate call beforehand and ask if there are multiple hospitals in your area.
- The survivor should be in control of the exam. Every step of the exam should be explained before it happens, and the survivor can stop, pause, or skip any portion.

Further Reading on Sexual Assault Forensic Exams:

- [End the Backlog: What is a Rape Kit and Rape Kit Exam?](#)
- [Forensics for Survivors: The Sexual Assault Exam and Evidence Collection Kit](#)
- [RAINN: What is a Sexual Assault Forensic Exam?](#)

### Filing a Police Report

It is up to the survivor whether they wish to file a police report. Deciding to report does not need to happen right away. If you decide at any point to report, here are some things to know:

- You can file a report at the precinct, hospital, or, ideally, wherever you feel most comfortable.
- Bring an advocate or friend. Filing a report is an extremely vulnerable and potentially re-triggering process. Having someone there to ask questions and ensure the process is happening with as much care as possible is crucial.
- Filing reports can take several hours, depending on the incident and the officers interviewing you.
- You'll be asked to recount the assault in detail. Expect many questions that feel probing and personal.

- Survivors often have incomplete memories of the event because of the way memory and the brain operate when traumatized. At any moment, a survivor should feel safe to tell an officer "I don't remember," or "I don't know," without any shame, judgement or suggestion that the survivor is lying.

Further Reading on Reporting Sexual Violence to the Police:

- [Break the Cycle: Reporting Sexual Assault to the Police](#)
- [Reveal: Reporting to Police: A Guide](#)

### Legal Action

While every state, jurisdiction, and case vary, there are some general good-to-knows when it comes to pressing charges and pursuing legal action. Local advocates are great resources to tap into to better understand the nuts and bolts of your specific locality.

- Civil cases and criminal cases are two different pathways that pressing charges might take. It's only partially up to the survivor which route the charges take.
  - \* Civil suits are handled more directly by the survivor and their attorney and are often filed with the intent of receiving monetary compensation for damages incurred from the defendant.
  - \* Criminal cases are brought by the State, not the survivor. In addition to monetary outcomes, criminal cases are oriented toward goals of incarceration or probation for the defendant. Even if a survivor wants to press criminal charges, it's ultimately up to the State to decide. If the State believes there isn't enough evidence, the case will likely be dropped regardless of the survivor's wishes.
- If following the path of a criminal case, things could end in a plea bargain and not go to trial, meaning the defendant pleads guilty in return for a reduced penalty. However, if the case is headed to trial, there is a lengthy discovery period before the actual trial begins.
- If the case goes to trial, the survivor will likely have to take the stand and testify.

Further Reading on Legal Action

- [Allure: What Happens When You Report A Sexual Assault](#)
- [Berry Law: The Difference Between Civil Sexual Assault and Criminal Sexual Assault](#)
- [RAINN: What to Expect from the Criminal Justice System](#)

### Ground Yourself

If you have the mental, emotional, and physical space, it would be beneficial to try to ground yourself before engaging in any of the processes listed above. Everyone has their own strategies for what works best for them. Here are some suggestions to explore what might be helpful for you:

- Affirm yourself and your experiences
- Take deep, slow breaths in and out
- Meditate
- Journal
- Engage in physical movement to help put yourself in your body
- Have a conversation with your ally about your boundaries so they can best advocate for you in the moment

### Phew, That Was a Lot...

Speaking plainly, this process is complicated, potentially retraumatizing, and drawn out. Like all of our institutions, this process is not designed to make it easy for those who are not in positions of holding systemic power. That said, the choice to get a forensic exam, report to the police, or enter legal proceedings might be the right pathway toward healing for a survivor and reclaiming some control of the experience. No matter what you decide justice looks like for you, be sure to identify your network of support that you can call on at any point, so you don't have to navigate this alone.

### Additional Resources:

[National Sexual Violence Resource Center \(NSVRC\): Sexual Assault Reponse Team Toolkit](#)

[Florin Roebig Trial Attorneys Sexual Assault Guide](#)