

Reporting a Rape

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By: Jes

Note This is very general information especially for US-based survivors. Reports of sexual assault are handled differently from state to state. Reporting a rape or sexual assault is something that many survivors struggle with. It is a personal decision and one that only you can make. However, I do urge you to report your rape. No matter how long it has been, you can make a police report. If you chose to make it within thirty-two hours of the assault, evidence can usually be found supporting your statement, which will help the police catch the criminal. Even if the assault occurred years ago, the police may find the information to be helpful, especially if the same perpetrator commits sexual assault again. Moreover, your report will help make rape statistics more accurate; people will know how large the problem actually is. As of right now, only about one in four rapes are reported. I hope you will find the following information helpful as you make a decision.

What To Expect

When you go to the police to make your report, you may want to bring a friend or a crisis counselor from your local rape crisis center for moral support. Many police officers encourage this, because it can be a difficult process. Bear in mind that most police officers now go to training sessions on how to work with survivors of sexual assault. They should be trained to be sensitive to your needs. If you feel as though you are being treated unfairly or insensitively, you can ask for another officer to take your statement.

The police officer in charge of the investigation will probably try to bring you to a private room. He or she will ask you different questions, including your name, age, address and where you work. Giving them the most accurate information possible is very important, because if the case goes to trial, the report must be complete and true. They will not contact your place of work, nor will they talk to anyone you specifically ask them not to. In addition, they will want you to give a detailed account of the sexual assault. This can be the most difficult part of the report to make, but it must be done. Your words are often the

strongest evidence the police have and if the case is prosecuted, your words will be admissible as evidence in court.

If there are parts of the story that you feel could be used against you, it is still important that you discuss those. For instance, If you were using drugs or alcohol prior to the rape, it is important that you are honest about that. If you had been intimate with the assailant prior to the rape, it is also important that you discuss that. This is because these words can be used in court. If it is discovered that part of your statement was untrue, the jury will be less likely to believe what you have said. More importantly, the jury may be legally instructed to disregard your entire statement. The police are not there to judge you or the circumstances surrounding the rape or assault. They honestly do want to catch the criminal involved.

The Investigation

If the rape happened in your home, car, or at a public place, the officers may want to investigate the scene of the crime. For instance, they may come to your house and if the rape occurred on your bed, they may take your sheets to analyze it for evidence, including semen or hair. With DNA testing, the police can link an individual to the scene of a crime with a single eyelash! I remember being very upset that my sheets were taken, but I'm now glad that they were. I think it would be impossible to sleep on them, but more importantly, they are providing important evidence in my case. In addition, they will want to talk to anyone who may have witnessed the rape, or witnessed the you and the assailant together immediately before or after you were assaulted. This is not because they doubt the veracity of your story; it is because they are looking for evidence and witnesses.

Once the report has been completed, the police will classify the case into one of several categories. Again, this is general information. It may vary from state to state, so be sure to ask. Some cases are "redlined," which means that they are not investigated fully. This very rarely happens and only under very unusual circumstances. Another classification is when a case is "unfounded." Cases are called unfounded when the police decide that what occurred does not meet the state's legal definition of rape. If this happens or has happened to you, I am very sorry. Some states have old-fashioned laws that do not allow for marital rape or

have laws that state a survivor must have resisted physically. A third category includes those that are exceptionally cleared, which means that the survivor has decided to drop the case. On the other hand, some cases become "exceptionally cleared" because the police have difficulty locating the survivor, which means that it is important for you to make sure the department can get in touch with you at all times. If they cannot, they may drop the case, thinking that you are not interested in pursuing it. The fourth category is for cases that are inactive, or not actively being investigated. This category includes cases where a suspect cannot be found or cases in which the district attorney has decided that the evidence is not sufficient to pursue court action.

The final category of case is one in which an arrest is made. For this to happen, the police must present the information gathered during the investigation to the prosecuting attorney, who decides if there is enough evidence to go forth with legal proceedings. If this is the case, an arrest warrant is issued and an arrest is made. In other cases, the police may make a "probable cause" arrest, which is what happened in my case. The police found my rapist in a state of undress near my home and I positively identified him. Thus, they had enough reason to believe he was responsible, so they were able to arrest him without a warrant. After the police have made an arrest, it is important that you maintain contact with them. You may have to go down to the police station to make an identification or give another statement. If they cannot locate you after an arrest, your assailant may be set free. After an arrest has been made, your primary contact will be with the prosecuting attorney assigned to your case.

Reference: [Recovering from Rape](#), by Linda Ledray. I highly recommend this book, especially if you are going through the legal process. It helped me immeasurably to know what to expect and the author of this book disseminates information clearly and concisely.

Reporting a rape is very stressful and the investigation is a confusing time. If you have any questions, don't hesitate to ask the officer assigned to your case, who should be able to answer them. In addition, if you remember anything that could be of use to the department, let him or her know. For instance, after I returned home from the police station, I recalled that I had stopped by a restaurant on my way home the night before my rape. I called the police, who went to the restaurant and found out that my rapist had indeed been there. I

actually called a few times afterwards, and they were always receptive. Police officers see a lot of different cases every year; the more involved and committed they see you as being, the more involved and committed they will be.

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