

### **What is Sexual Assault?**

Sexual Assault is a crime. Sexual assault is defined as intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent. Sexual assault includes rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Sexual assault can occur without regard to gender or spousal relationship or age of victim.

"Consent" shall not be deemed or construed to mean the failure by the victim to offer physical resistance.

Consent is not given when a person uses force, threat of force, coercion or when the victim is asleep, incapacitated, or unconscious.

### **If I am Sexually Assaulted what should I do?**

First, get to a safe place. If you are in need of urgent medical attention, call 911. If you are not injured, you still need medical assistance to protect your health. The medical treatment facility (MTF) offers you a safe and caring environment. To protect evidence, it is important that you do not shower, brush your teeth, put on make-up, eat, drink, or change your clothes until advised to do so. You or the MTF may report the crime to law enforcement, criminal investigation agencies, or to your chain of command. If you feel uncomfortable reporting the crime, consider calling a confidential counseling resource available to you. Here you may discuss your concerns and questions regarding the assault and the reporting process.

You may also contact the On Call Victim Advocate or SARC to get information on your confidential reporting options on the installation. (270) 798-6383 during business hours or (270) 498-4319 24/7.

### **What resources are available to care for victims of sexual assault?**

Military One Source offers real help, anytime, anywhere. A master's level consultant will speak to victims who are eligible for this service at no charge, 24/7/365. CONUS call 1.800.655.4545, internationally toll free at 800.3429.6477 or internationally dialed collect at 484.530.5947. Other resources are the local Medical Treatment Facility; Military Police/Criminal Investigation Division; your commander, supervisor, or First Sergeant; the chaplain, social services, family advocacy, and legal services. Military One Source, Army psychiatric counselors,

and chaplains are confidential counseling channels.

A list of local resources is also available on this website

### **Where will Sexual Assault Forensic Exams be stored?**

The Provost Marshall's Office (PMO) will store all evidence collection kits for Restricted cases with a non identifying case number for up to one year from the date the evidence was collected. For Unrestricted cases, the evidence collection kits will be maintained through the Criminal Investigation Division (CID).

### **When recovering from a sexual assault, what may a victim expect?**

Every person reacts differently to sexual assault. There are five stages of recovery, which most victims will experience to some degree. It is not unusual for different people to experience the stages in different orders or even to repeat stages several times. These stages are:

Stage 1: Initial Shock - Shock following an assault can take on many forms. Victims may experience emotional as well as physical shock, which in turn could be expressed as very controlled, and/or withdrawn, or, highly expressive, including crying, screaming or shaking. Victims may or may not feel comfortable communicating these feelings others.

Stage 2: Denial - This stage may find victims attempting to go on with a normal routine and wanting to forget about the assault. This denial or rationalization of what happened is an attempt to deal with inner turmoil.

Stage 3: Reactivation - This stage involves a re-experiencing of the feelings from Stage 1, usually brought on by the triggering of memories of the assault. Feelings of depression, anxiety and shame increase. Other symptoms can include nightmares, flashbacks, and a sense of vulnerability, mistrust and physical complaints.

Stage 4: Anger - Victims may experience feelings of anger - often toward themselves, friends, significant others, society, the legal system, all men/women, etc. Sometimes through counseling, this anger can be dispelled.

Stage 5: Integration (Closure) - As victims integrate the thoughts and feelings stemming from the assault into their life experience victims will begin to feel "back on track." As a result of support, education and the passage of time, victims may feel strengthened.

**Can men be sexually assaulted?**

Yes, men may be victims of forcible sodomy or indecent assault. Therefore, all resources for sexual assault are available, regardless of gender.

**What legal representation and/or assistance does a Soldier have when he or she is sexually assaulted?**

A Soldier victim will be assigned a Victim Witness Liaison (VWL) who will explain the rights of victims and will keep the Soldier informed of all of the steps in the legal proceedings involving his/her case. However, victims of sexual assault are not represented by a criminal, military attorney. A military attorney can answer questions about the legal process and related proceedings but will not represent the victim. See AR 27-10, Military Justice, chapter 18 for more details on victim's rights and the role of the VWL. A victim may also seek legal advice from a military or civilian attorney at their installation legal assistance office.

**What happens when a Soldier is sexually assaulted by someone outside the military (civilians) or by someone from another country (military or civilian)?**

CID will be involved in sexual assault cases that involve an Army victim or that affect the Army. Typically, CID conducts joint investigations with civilian police authorities (US or foreign) or with foreign military law enforcement agencies in these types of cases. Each investigative agency conducts complimentary investigative tasks to prepare a complete final report that can be provided to the appropriate judicial authority (military or civilian).

**Does this program apply to Civilians and Military Personnel?**

The charter was to develop a prevention and response program for Soldiers. Currently the program is designed only for Soldiers; however, the DoD and the Army are reviewing procedures on how to extend to others.

***24/7 Victim Advocacy support, information, and referral services are available to Civilians and Soldiers.***

***Contact us at (270) 412-5500, 7:30am-4:30pm***

***or***

***(270) 498-4319 after hours***

