

Contact Your Local Rape Crisis Center



The Michigan Coalition Against Domestic and Sexual Violence wishes to thank the Michigan Domestic Violence Prevention and Treatment Board for their financial support of this project.



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A H A N D B O O K
For Survivors
OF
Sexual Assault



Introduction

This handbook is intended for adult survivors of sexual assault. It has been prepared by the Michigan Coalition Against Domestic and Sexual Violence as a general guide to be used throughout the state of Michigan. More specific information about local ordinances, reporting procedures, emergency room procedures, and community services may be available at your local Rape Crisis Center. The handbook was prepared with the purpose of providing you with accurate information regarding the medical and legal concerns that you may be having, as well as to discuss issues regarding your physical and emotional healing. Revised November 2008.



**MICHIGAN
DOMESTIC VIOLENCE
PREVENTION &
TREATMENT BOARD**

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This project was supported by Grant Number 00-WF-NX-0026 by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice or the Michigan Domestic Violence Prevention and Treatment Board.

Original funding for the development of this publication was made available through the Centers for Disease Control and the Violence Against Women Act through a grant from the Michigan Domestic Violence Prevention and Treatment Board - Rape Prevention Services Program.

City	Program Name	Business Number	24 Hour Crisis Line
Midland	Council on Domestic Violence & Sexual Assault/Shelterhouse	(989) 835-6771	(877) 216-6383
Monroe	Family Counseling & Shelter Services of Monroe County	(734) 241-0180	(734) 242-7233
Monroe	Mercy Memorial Rape Crisis Program	(734) 240-4508	(734) 240-8800
Mt. Clemens	Turning Point	(586) 463-4430	(586) 463-6990
Mt. Pleasant	Sexual Assault Services - Central Michigan University	(989) 774-6677	(989) 774-2255
Mt. Pleasant	Saginaw Chippewa Indian Tribe Behavioral Health Program	(989) 775-4850	(989) 679-0017
Mt. Pleasant	Women's Aid Service	(989) 773-7960	(989) 772-9168
Muskegon	Every Woman's Place	(231) 759-7909	(231) 722-3333
Paw Paw	Domestic Violence Coalition Inc.	(269) 655-9008	(888) 655-9008
Petoskey	Women's Resource Center of Northern Michigan	(231) 347-0067	(800) 275-1995
Plymouth	First Step	(734) 416-1111	(888) 453-5900
Pontiac	HAVEN	(248) 334-1284	(877) 922-1274
Port Huron	Safe Horizons	(810) 985-4950	(888) 985-5538
Saginaw	Underground Railroad, Inc.	(989) 755-0413	(888) 399-8385
Saginaw	Sexual Assault Program of Child & Family Services of Saginaw	(989) 790-9118	(989) 790-9118
Sault Ste. Marie	Diane Pepler Resource Center	(906) 635-0566	(800) 882-1515
Sault Ste. Marie	Advocacy Resource Center	(906) 635-7705	(877) 639-7820
St. Johns	Relief After Violent Encounter	(989) 224-4662	(877) 952-7283
Suttons Bay	Grand Traverse Band of Ottawa & Chippewa Indians	(231) 271-3538	(231) 234-7777
Three Rivers	Domestic and Sexual Abuse Services	(269) 273-6154	(800) 828-2023
Traverse City	Women's Resource Center of Grand Traverse Area	(231) 941-1210	(800) 554-4972
Traverse City	Munson Medical Center	(231) 935-6333	
Wilson	Hannahville Indian Community	(906) 466-2342	(906) 630-8817

For up-to-date contact information for these agencies, please contact the MCADSV office at (517) 347-7000.

City	Program Name	Business Number	24 Hour Crisis Line
East Lansing	MSU Sexual Assault Program	(517) 355-8270	(517) 372-6666
East Lansing	MSU Safe Place	(517) 355-1100	(517) 355-1100
East Lansing	The Listening Ear Crisis Intervention Center	(517) 337-1719	(517) 337-1717
Escanaba	Alliance Against Violence & Abuse, Inc.	(906) 789-9207	(800) 682-1649
Flint	YWCA of Greater Flint	(810) 238-7621	(810) 238-7233
Fremont	Gerber Memorial Medical Services	(231) 924-3300	(231) 924-1300
Grand Rapids	YWCA West Central Michigan	(616) 459-4681	(616) 776-7273
Grand Rapids	Safe Haven Ministries/Ramoth House	(616) 452-6664	(616) 452-6664
Grayling	River House, Inc.	(989) 348-3169	(888) 554-3169
Hastings	Green Gables Haven	(269) 945-0526	(800) 304-5445
Hillsdale	Hillsdale Hospital	(517) 437-5125	(517) 437-5125
Hillsdale	Domestic Harmony	(517) 439-1454	(888) 439-1454
Holland	Center for Women in Transition	(616) 392-2829	(800) 848-5991
Houghton	Dial Help, Inc.	(906) 482-9077	(800) 562-7622
Howell	LACASA	(517) 548-1350	(866) 522-2725
Ionia	RAVE/Ionia/Montcalm Domestic & Sexual Violence Program	(616) 527-3351	(800) 720-7233
Iron Mountain	Caring House Inc.	(906) 774-1337	(906) 774-1112
Ironwood	Domestic Violence Escape, Inc.	(906) 932-4990	(800) 711-6744
Jackson	AWARE Inc.	(517) 783-1638	(517) 783-2861
Kalamazoo	YWCA of Kalamazoo	(269) 345-5595	(269) 385-3587
L/Anse	Baraga County Shelter Home	(906) 524-5017	(906) 524-7078
Lansing	Sparrow Health System	(517) 364-3641	(517) 364-3641
Lansing	EVE Inc.	(517) 372-5976	(888) 796-5222
Lapeer	Lapeer Area Citizens Against Domestic Assault	(810) 667-4193	(810) 667-4175
Ludington	C.O.V.E.	(231) 843-2541	(800) 950-5808
Manistee	CHOICES of Manistee County, Inc.	(231) 723-6597	(800) 723-7220
Manistee	Little River Band of Ottawa Indians, Inc.	(231) 723-8288	(231) 398-6726
Marquette	Women's Center/Harbor House	(906) 226-6611	(800) 455-6611

A H A N D B O O K

For Survivors

OF

Sexual Assault

Acknowledgments

The primary author of the original handbook is Gail Krieger, formerly of the Michigan Coalition Against Domestic and Sexual Violence (MCADSV). The editors to this edition are Cheryl Rogers, J.D., Director, Nonprofit Legal & Management Assistance Project, MCADSV, Kathy Hagenian, Executive Policy Director, MCADSV, and Angelita Velasco Gunn, Associate Director, MCADSV. Portions of the “What You May Be Feeling” and “Civil Suits” sections of this handbook were adapted from information from the Sexual Assault Prevention & Awareness Center of the University of Michigan in Ann Arbor.

Definition of Frequently Used Terms

Survivor: The individual who was assaulted. In this handbook, this word is used to describe the victim. Many Rape Crisis Centers use this word as well. The word survivor is meant to focus on the strengths of those who have been sexually assaulted.

Victim: The individual who was assaulted. This word is used in the criminal justice system.

Sexual Assault or Rape: In this handbook, the words sexual assault and rape are used interchangeably.

Criminal Sexual Conduct (CSC): The legal term used for sexual assault or rape. This term is used in Michigan because state law recognizes touching, as well as penetration, as a criminal offense. The word “rape” is not used in Michigan Law.

Rapist, Perpetrator, or Assailant: The person who committed the assault. In this handbook, the words perpetrator and assailant are used interchangeably.

Defendant: The alleged perpetrator is referred to as the defendant in the criminal justice system.

City	Program Name	Business Number	24 Hour Crisis Line
Adrian	Family Counseling & Children's Services/Catherine Cobb DV Pg	(517) 265-5352	(800) 874-5936
Allegan	Sylvia's Place	(269) 673-8700	(888) 411-7837
Alpena	Shelter Inc.	(989) 356-2560	(800) 396-9129
Ann Arbor	SafeHouse Center	(734) 973-0242	(734) 995-5444
Ann Arbor	U of M Nurse-Midwifery Services	(734) 763-2311	(734) 763-2311
Ann Arbor	St. Joseph Mercy Hospital SANE Program	(734) 712-2676	(734) 712-2676
Ann Arbor	Sexual Assault Prevention & Awareness Center-Univ. of Mich.	(734) 998-9368	(734) 936-3333
Bad Axe	Huron County SafePlace	(989) 269-5300	(888) 849-7233
Baraga	Keweenaw Bay Indian Community VOCA	(906) 353-4533	(906) 353-4533
Battle Creek	S.A.F.E. Place	(269) 965-6093	(888) 664-9832
Battle Creek	Sexual Assault Services of Calhoun County	(269) 660-3925	(888) 383-2192
Bay City	Bay Area Women's Center	(989) 686-2251	(800) 834-2098
Benton Harbor	Safe Shelter Inc.	(269) 925-9500	(888) 963-4275
Big Rapids	WISE	(231) 796-6692	(800) 374-9473
Brimley	Bay Mills Indian Community	(906) 248-3204	(888) 422-9645
Cadillac	Cadillac Area OASIS/Family Resource Center	(231) 775-7299	(800) 775-4646
Calumet	Barbara Kettle Gundlach Shelter Home	(906) 337-5632	(888) 337-5623
Caro	Thumb Area Assault Crisis Center/Human Dev. Commission	(989) 673-4121	(800) 292-3666
Charlotte	SIREN/Eaton Shelter, Inc.	(517) 543-0748	(800) 899-9997
Coldwater	Community Health Ctr. of Branch Co. Sexual Assault Services	(517) 279-5437	(517) 279-5437
Coldwater	Branch County Coalition Against DV/Shelterhouse	(517) 278-3356	(517) 278-7432
Dearborn	Arab Community Center for Economic and Social Services	(313) 216-2200	(313) 216-2227
Detroit	LA VIDA	(313) 849-3104	(313) 477-3028
Detroit	Wayne County SAFE Program	(313) 369-5500	(313) 430-8000
Detroit	Looking for My Sister	(313) 861-3221	(313) 861-3221
Detroit	YWCA Interim House	(313) 861-5300	(313) 861-5300
Detroit	Detroit Police Dept. Victims Assistance Program	(313) 833-1660	(313) 833-1660
Detroit	Serenity Services	(313) 267-1911	(877) 855-5948

Chapter Five

RESOURCES

Michigan Rape Crisis Centers

Throughout Michigan there are more than 40 Rape Crisis Centers, offering counseling, advocacy and support groups. The list on the following pages is arranged by city, however, most Rape Crisis Centers provide service to the entire county in which they are located. In rural areas Rape Crisis Centers often provide services to several counties.

Rape, Abuse & Incest National Network (RAINN)
1-800-656-HOPE (4673)

Michigan Coalition Against Domestic and Sexual Violence
3893 Okemos Road, Suite B2
Okemos, MI 48864
(517) 347-7000
TTY: (517) 381-8470
www.mcadsv.org
general@mcadsv.org

Michigan Resource Center on Domestic & Sexual Violence
3893 Okemos Road, Suite B2
Okemos, MI 48864
(517) 381-4663
TTY: (517) 381-8470
www.mcadsv.org/mrcdsv
resource@mcadsv.org

Crime Victim Services Commission
Lewis Cass Bldg.
320 S. Walnut St., 5th Fl.
Lansing, MI 48913
(517) 373-7373

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Chapter One

THE FACTS

Several myths exist about sexual assault. These myths often shift responsibility and blame from the assailant to the victim. Understanding the myths surrounding sexual assault may help you in your recovery. What happened to you was a crime. You are not to blame for the assailant's behavior.

Keep a log of all the harassing incidents. Include the time, place, and description of the incident, as well as any witnesses to the incident.

Get a Personal Protection Order. You can fill the paperwork out on your own, have someone at your local Rape Crisis Center assist you, or retain an attorney.

A Personal Protection Order (PPO)

A PPO is an order from the court to the stalker that prohibits certain activity. If the stalker violates the order he/she could be sentenced to up to 93 days in jail and/or a \$500 fine.

A PPO Can Prohibit the Stalker From Any or All of the Following: Entering the property where you live or work, appearing within your sight, following you, assaulting you, threatening you, calling you, possessing or buying a gun, or any other conduct that interferes with your personal liberty.

Who Can Get a PPO? If you currently have, or have had in the past, one or more of the following relationships to the perpetrator: spouse, dating, have a child in common, or reside in the same household OR if the stalker is a stranger and has committed any of the prohibited behaviors listed in the above paragraph.

Filing for a PPO: The paperwork is available at the county clerk's office. You can fill it out on your own, have someone at your local Rape Crisis Center help you, or retain an attorney. You can request that the PPO be signed by the judge without having to go to trial. However, the judge may order a trial in order to show good cause for why the PPO should be issued. The PPO goes into effect immediately when the judge signs it. If there was no trial and the PPO was signed by the judge, the stalker will have 14 days after he/she is served to request a trial. If the judge does not sign the PPO, he/she is required to give a written reason for why they did not sign it.

The goal of a civil suit is to compensate the survivor for injury caused by the action of the defendant. If the defendant is found responsible in the civil action, an award of damages may be compensatory, punitive, or both. The goal of compensatory damages is to pay for the losses suffered by the victim. The primary purpose of punitive damages is to punish and deter criminals or third parties.

Stalking

If you were raped by someone that you know, you may be at risk of being stalked or harassed by the perpetrator or by friends or family of the perpetrator. If the person who raped you was a stranger, the chances of being stalked by him/her are less, but still possible.

Michigan's Anti-Stalking Laws

Stalking: This is a crime defined as a willful course of conduct involving repeated or continuing harassment of another individual that causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested. This crime is a misdemeanor punishable by up to one year in prison or up to a \$1,000 fine or both. If the victim is a minor and the perpetrator is 5 or more years older than the victim, this crime is a felony punishable by up to 5 years in prison or up to a \$10,000 fine or both. [MCL 750.411h].

Aggravated Stalking: This is a crime that includes the factors listed above plus one of the following aggravating factors: making credible threat of injury, violating a Personal Protection Order, violating a bond condition, or having a previous conviction for stalking. This crime is a felony punishable by up to 5 years in prison or up to a \$10,000 fine. If the victim is a minor and the perpetrator is 5 or more years older than the victim, this crime is a felony punishable by up to 10 years in prison and up to a \$15,000 fine. [MCL 750.411i].

What To Do If You Are Being Stalked

Report harassing/uninvited contact to your local police department. Even if the police cannot take any action at first, reporting the incident will begin to document the history of stalking.

Plan for your safety. Tell your co-workers and neighbors what is going on. Get a cellular phone if you can. Teach your children how to call 911. Consult your local Rape Crisis Center for safety planning that is specific to your situation.

MYTH: Rape is caused by the perpetrator's uncontrollable sexual urge.

FACT: Rape is an act of power and control, not sex.

MYTH: Individuals who commit rape are mentally ill or psychotic, and cannot help themselves.

FACT: Very few perpetrators are mentally incompetent and/or out of touch with reality. Rapes may be planned or carried out by acquaintances, intimate partners, family members or strangers.

MYTH: The victim must have "asked for it" by being seductive, careless, drunk, high, etc....

FACT: No one asks to be abused, injured, or humiliated. This line of thought blames the victim for what happened instead of the perpetrator who chose to commit the crime. Individuals of all ages, from all walks of life, have been the targets of sexual assault. Not one of them "caused" their assailant to commit a crime against them.

MYTH: If women would just stop drinking so much, they wouldn't be sexually assaulted.

FACT: Alcohol is a weapon that some perpetrators use to control their victim and render them helpless. As part of their plan, an assailant may encourage the victim to use alcohol, or identify an individual who is already drunk. Alcohol is not a cause of rape; it is only one of many tools that perpetrators use.

MYTH: If the victim did not physically struggle with or fight the assailant, it wasn't really rape.

FACT: Assailants are not looking for a fight and they use many forms of coercion, threats and manipulation to rape. Alcohol and other drugs such as Rohypnol are often used to incapacitate victims.

Michigan law defines sexual assault by the action of the perpetrator, not the victim. In fact, there is a specific law that says that the victim need not have resisted the perpetrator in order for it to be considered rape.

MYTH: Most perpetrators are strangers to their victims.

FACT: Most rapes are committed by someone that the victim knows: a neighbor, friend, acquaintance, co-worker, classmate, spouse, partner, or ex-partner.

MYTH: Serial rapists are uncommon.

FACT: Most every perpetrator is a serial rapist, meaning that they choose to use coercion, violence, threats of force, etc., to assault women on a repeated basis.

The prosecuting attorney shall provide the victim with a brief explanation of the appeal process. If the case is returned to trial or a new trial is ordered, the victim has the same rights as previously requested. [MCL.780.828].

Crime Victims Compensation

As a victim of crime, you may be eligible for monetary assistance. Assistance may include compensation for medical expenses, counseling, rehabilitation, and loss of earnings resulting from an injury that is the direct result of a crime. Claims should be filed within one year; however, there are exceptions for child victims of sexual abuse and upon petition for good cause. You can get a claim form from Crime Victim Services Commission, the local Prosecuting Attorney, any State Police post, or your local Rape Crisis Center.

**Crime Victim Services
Commission
P.O. Box 30026
Lansing, MI 48909
(517) 373-7373**

Below are the law enforcement considerations that must be met to receive victims compensation:

- The crime must be reported to a law enforcement agency within 48 hours unless there was good cause for the delay. This provision is waived for child victims.
- The victim must be willing to cooperate with law enforcement agencies, the prosecutor, and the Commission.

If you have difficulties completing the paperwork, your local Rape Crisis Center may be able to assist you.

Civil Suit

You have the option of filing a civil lawsuit. By doing this, you could possibly be awarded monetary damages. Here are some key points to keep in mind about this option:

- You will need to hire an attorney.
- You do not have to pursue criminal charges in order to file a civil lawsuit.
- You will be the Plaintiff and the perpetrator will be the Defendant.
- The process can take 2-5 years to complete.
- If the defendant is found guilty in the criminal trial, the only issue in the civil trial is over the type and amount of damages you should receive.
- If the defendant was found not guilty in a criminal proceeding, or if there was no criminal proceeding, then the plaintiff only needs to prove that the defendant committed wrong by a “preponderance of the evidence”, rather than beyond a “reasonable doubt”.
- Your sexual history may be brought into the trial.

Pretrial Conference and Motions: The court may hear motions to determine what evidence will be admitted. The defense attorney and the prosecutor may discuss a plea bargain.

Trial: The prosecutor will try to prove beyond a reasonable doubt that the defendant committed the crime. The victim has the right to be present throughout the entire trial of the defendant, unless the victim is going to be called as a witness. If the victim is called as a witness the court may for good cause, order the victim to be sequestered until the victim first testifies. As the accused, the defendant has the right to stay in the courtroom throughout the entire trial. The trial could take several days to complete. If the defendant is convicted, a sentencing date will be set.

Sentencing: If the defendant is convicted or pleads guilty or no contest, the probation department will make a sentencing recommendation to the judge. You have the right to submit or make a written or oral impact statement to the probation officer for use in preparing the presentence investigation report. [MCL 780.824]. Written statements turned in before the sentencing date will become part of the file. This means that the defense attorney will have access to it and may share it with the perpetrator. If you so choose, you will have the right to make your oral statement at the time of the sentencing proceedings (even if you do not complete a written statement).

Your **Victim Impact Statement** may include but is not limited to the following: nature of any physical, psychological or emotional harm suffered, explanation of any economic loss or property damage, opinion of the need for or extent of restitution and a recommendation for the defendant's sentence. [MCL 780.823].

The victim also has the right to make an oral impact statement at the sentencing. If you are physically or emotionally unable to make the oral impact statement, you may designate any other person 18 years or older to make the statement on your behalf. The court shall consider the victim's statement when imposing sentence on the defendant. [MCL 780.825].

Appeal: The defendant has the right to appeal the decision. Upon request of the victim, the prosecuting attorney shall notify the victim of the following:

- That the defendant filed an appeal of his or her conviction or sentence or the prosecuting attorney filed an appeal;
- Whether the defendant has been ordered release on bail or other recognizance pending the outcome of the appeal within 24 hours of receiving notice;
- Time and place of appellate court proceedings within 24 hours of notification; and
- The result of the appeal.

Chapter Two

YOUR FEELINGS & RECOVERY

Survivors of sexual assault experience a wide range of reactions. Some have said that after the assault their emotions go up and down or from one extreme to another. It is important for you to know that what you are feeling and thinking right now is OK. Your reactions are your own way of coping with the crime that has been committed against you. There is no standard response to sexual assault.

What You May Be Feeling

There is no standard response to sexual assault. You may experience a few, none, or all of the following:

SHOCK AND NUMBNESS: Feelings of spaciness, confusion, being easily overwhelmed, not knowing how to feel or what to do. You may react in a way that is similar to your reactions during other crises in your life (for example with tears, irritability, nervous laughter, withdrawing).

WHAT YOU CAN DO: Be aware that these are normal reactions to trauma. Each person handles crisis differently, so think of things that helped you get through crises in the past. Get help to sort out what you would like to do and how you may want to organize your time, thoughts, and decisions. Be compassionate toward yourself; give yourself time to heal.

LOSS OF CONTROL: Feeling like your whole life has been turned upside down and that you will never have control of your life again. Your thoughts and feelings seem out of control.

WHAT YOU CAN DO: Try to get as much control over your life as you possibly can, even over small things. Ask for information that may help you sort out your thoughts and feelings. Use outside resources, such as counselors and legal professionals. Ask how other people have handled similar situations. Try to make as many of your own decisions as possible. This may gradually help you regain a sense of control over your own life.

There is no right or wrong way to react to sexual assault.

FEAR: Fear that the assailant may return; fear for your general physical safety; fear of being alone; fear of other people or situations that may remind you of the assault.

WHAT YOU CAN DO: If you want company, do not hesitate to ask people whom you trust to be with you day and night. You may want to make your physical environment feel more safe (moving, making your home more secure, getting to know your neighbors better).

Arraignment in District Court: The district court judge will read the charges and the defendant will be given the opportunity to plead. Bond will be set at this time. Bond is an amount of money that needs to be paid to ensure that the perpetrator will show up for court again. Sometimes no bond or a very high bond is set so that the perpetrator is forced to stay in jail. If the defendant is released the judge may order conditions of bond. The prosecuting attorney may request a condition of bond that orders the defendant not to come near you or contact you. You can talk with the prosecutor and have him/her request this type of bond condition, usually referred to as a “no contact condition.” The victim may submit an affidavit (sworn statement) asserting acts or threats of physical violence or intimidation by the defendant against the victim or the victim’s immediate family. The prosecutor may initiate Bond Revocation proceedings. The local police may arrest the perpetrator if he/she violates a protective condition of bond. If you are experiencing harassment, intimidation or threats by the perpetrator, contact the local police and notify the prosecutor assigned to the case.

Preliminary Exam: This is a formal hearing in front of the district court judge. The prosecutor will try to prove that a crime took place, that it took place in your county, and that the perpetrator is a likely suspect. The prosecutor must prove that there is reasonable cause to believe that the crime took place and the accused committed it for the case to continue. You will be required to testify. At the beginning of your testimony you will have to look at the perpetrator and identify him/her for the court. The prosecutor and the attorney for the defendant will ask you questions. The case may be dismissed at this point or bound over to circuit court for trial. Sometimes the defendant may waive the right to a preliminary exam and the case will go straight to circuit court.

Arraignment in Circuit Court: The charges will be read to the defendant in circuit court. The defendant will be again given the opportunity to plead. If the defendant pleads guilty or no contest, a sentencing date will be set. If the defendant pleads not guilty, a trial date will be set.

Plea Bargaining

The prosecutor and the defense attorney may negotiate about the degree and type of the final charge. This is called plea bargaining. The defendant may agree to plead guilty to a lesser charge to avoid a more severe punishment. A plea may be entered to the judge at any time during the court process. The judge does not have to accept the plea, but usually will if the defendant, the defendant’s attorney, and the prosecutor agree.

The prosecutor should discuss any pleas with you. If you feel strongly about the plea, speak to the prosecutor and let your opinions be known.

Your Role in the Criminal Justice Process

You are a witness in the state’s case against the assailant. You will be subpoenaed to testify during the criminal process. The prosecuting attorney or city attorney will present the case on behalf of the “people of the State of Michigan” and does not represent you specifically. However, as the victim of a crime, you do have certain rights. You can contact the prosecuting attorney or city attorney’s office to find out which prosecutor is working on the case. You can contact that attorney with any questions you have about the criminal case. An advocate at the Rape Crisis Center in your community can help you with this and any other aspect of the criminal justice system and your case.

Michigan has several laws that are designed to make participation in the prosecution of the assailant easier for the victim.

1. The defense attorney cannot bring up your sexual history as evidence in the criminal trial unless there was a previous sexual relationship between you and the assailant, or if there was specific sexual activity that could account for the presence of semen, disease, disfigurement or other injury. In these exceptions the defense must specifically request access to this evidence and the judge can use discretion in limiting this type of evidence. [MCL 750.520j]. This is known as the rape shield law.
2. The prosecutor does not need to prove that you resisted. [MCL 750.520i].
3. Your testimony does not need to be corroborated or supported by other witnesses. [MCL 750.520h].
4. A law enforcement officer cannot ask or require you to take a polygraph test. [MCL 776.21].
5. The law does not specify the sexes or limit the relationship of the parties involved. It is possible to bring criminal sexual conduct charges against a same-sex assailant or an assailant to whom you are or have been married to or involved with in previous consensual sexual activity.

Stages in the Criminal Process

Warrant Request and Authorization: The detective/officer assigned to your case will forward a report to the prosecuting attorney’s office. The prosecutor may want to interview you. Because sexual assault is a crime against the citizens of Michigan, the prosecutor represents the people of the State of Michigan and not you specifically. The prosecutor will make the decision about whether or not to prosecute. If you haven’t heard from the prosecutor, you can call the prosecuting attorney’s office and ask to speak with him/her. If the decision to prosecute is made, there will be an arrest warrant issued or a notice to appear in court for the defendant (perpetrator).

GUILT AND SELF-BLAME: Feeling like you could have or should have done something to avoid or prevent the assault; doubts regarding your ability to make judgments.

WHAT YOU CAN DO: No matter what the situation was, you did not ask to be hurt or violated. Blaming yourself is sometimes another way to feel control over the situation, thinking that if you avoid similar circumstances, it will not happen to you again.

ISOLATION: Feeling that this experience has set you apart from other people; feeling that other people can tell you have been sexually assaulted just by looking at you; not wanting to burden other people with your experience.

WHAT YOU CAN DO: Recovering from an assault can be a very lonely experience. However, you are not alone in what you are feeling. You may find it reassuring to talk to others who have been assaulted, or to a counselor at your local Rape Crisis Center who has worked with other sexual assault survivors.

VULNERABILITY, DISTRUST: Feeling that you are at the mercy of your own emotions or the actions of others; not knowing who to trust or how to trust yourself; feelings of suspicion and caution.

WHAT YOU CAN DO: Trust your instincts about who you want to talk with about what happened to you. Try to talk with people whom you have found to be the most dependable in the past; select those who have been good listeners and non-judgmental. Feelings of general suspicion may subside as you begin to find people you can trust.

SEXUAL FEARS: Feeling that you do not want to have sexual relations; wondering whether you will ever want or enjoy sexual relationships again; fears that being sexually intimate may remind you of the assault.

WHAT YOU CAN DO: Try to tell your partner what your limits are. Let your partner know if the situation reminds you of the assault and may bring up painful memories. Let your partner know that it is the situation, not him/her, that is bringing up the painful memories. You may feel more comfortable with gentle physical affection. Let your partner know what level of intimacy feels comfortable for you.

ANGER: Feeling angry at the assailant. You may find yourself thinking about retaliation. You may be angry at the world since you no longer feel safe. If you are religious, you may feel angry that your faith did not prevent this.

WHAT YOU CAN DO: Be accepting of your anger. Thoughts of being violent toward the assailant do not mean that you are a violent or bad person. You have the right to feel angry about the violation you have experienced. You may want to talk to people who understand this.

DISRUPTION OF DAILY ACTIVITIES: During the first few days or weeks after the assault you may feel preoccupied with intrusive thoughts about the assault. You may experience difficulty concentrating, nightmares, sleep disturbances, changes in appetite, ‘startle reactions,’ phobias, general anxiety or depression. You may have memories of a prior crisis.

WHAT YOU CAN DO: Although these are common reactions, they can be quite disturbing. Take things very slowly. Some people find it helpful to keep a notebook at hand to write down feelings, thoughts, ideas, or details of the assault; keeping the thoughts and feelings in one place may make them feel more manageable.

Recovery

Experiencing so many different emotions is a part of working through what has happened to you. Right now, you may wonder when you will “get your life back.” Or, perhaps you are not feeling much at all. There is no right or wrong way to react to sexual assault. Many survivors have found that patience, time, and support from others has helped them recover. Your local Rape Crisis Center has worked with many who have had similar experiences. A good counselor will understand and help you work through the emotional roller coaster that you may be on.

Those who work with assault survivors often use a response model, similar to the one below, to outline how people commonly react to traumatic events. However, there is no “recovery calendar.” Individuals pass through recovery stages in their own way, sometimes skipping back and forth between stages. This model merely offers you a framework for understanding the emotions and reactions you may have as you heal from the assault. For more information or support contact your local Rape Crisis Center.

Filing a Police Report

With accurate information about the law and support from friends and family, many sexual assault survivors choose to report the crime and participate in a criminal case against the perpetrator. It is not an easy process for survivors, but some have found it to be helpful in their journey to healing. If you decide to speak to the police, you can have a friend or advocate present to support you. You may want to write down everything you can remember about the assault and the perpetrator prior to filing a report. This will help you when you meet with a police officer. The police will interview you about what happened. Some questions might seem personal or embarrassing but it is important for the police to get as much information as possible.

After the police report is made, a detective will be assigned to investigate the crime and submit the case to the prosecutor or city attorney’s office. The decision to prosecute belongs to the prosecutor or city attorney. This decision is based on the evidence that is available to the prosecutor. Sometimes cases are not prosecuted. This is usually because it is believed that there is not enough evidence to prove to a jury or a judge that the defendant is guilty, not because the prosecutor does not believe you.

The Court System

There are two basic types of cases that go to court: criminal and civil.

A criminal case is one in which the state of Michigan is seeking to punish a person who has committed a crime. A crime is an act committed in violation of the law and is punishable by imprisonment or fines. In a criminal court case the prosecuting attorney, acting on behalf of “the people,” brings charges against the individual accused of perpetrating the crime known as the defendant. The survivor of a sexual assault is considered a witness to the crime, not a party in the criminal case. Criminal sexual conduct or rape is a criminal offense. Information about the criminal justice process is included in this handbook.

The civil justice system involves any case that is not a criminal prosecution. Civil cases involve one person, the plaintiff, bringing a legal action against another person, the defendant. Divorce, custody, personal protection orders and torts are examples of civil matters. Survivors of sexual assault have successfully sued perpetrators for emotional distress, physical injury costs and other monetary damages. Information about the civil justice process is included in this handbook.

<p>Third Degree CSC Up to 15 years in prison.</p>	<p>Includes penetration</p>	<ol style="list-style-type: none"> 1. Victim is 13, 14, or 15 years old 2. Force or coercion is used to accomplish the sexual penetration. 3. Victim is physically helpless, mentally incapable, or mentally incapacitated. 4. Victim is related to assailant by blood or marriage (except if victim and assailant are married), and the act occurs under circumstances not otherwise prohibited in the CSC act. 5. Victim is 16 or 17 years old and is a student and is not emancipated and is not married to assailant. Assailant is a teacher, substitute teacher, or administrator of the school or school district in which the victim is enrolled. 6. Victim is 16 or 17 years old and is a student and the assailant is an employee or a contractual service provider of the school or school district in which the victim is enrolled, or is a Federal, State of Michigan, or local unit of government employee assigned to provide any service to that school or school district or is a volunteer who is not a student and the assailant uses that status to gain access to, or to establish a relationship with the victim. 7. Victim is 16 through 25 years old and is receiving special education services and the victim and assailant are not married and assailant is a teacher, substitute teacher, or administrator, or an employee or a contractual service provider of the school or school district in which the victim is enrolled, or is a Federal, State of Michigan, or local unit of government employee assigned to provide any service to that school, or school district, or is a volunteer who is not a student and the assailant uses that status to gain access to, or to establish a relationship with the victim.
<p>Fourth Degree CSC Up to two years in prison and/or up to \$500 fine.</p>	<p>Includes sexual contact</p>	<ol style="list-style-type: none"> 1. The victim is 13, 14, or 15 years old and the assailant is 5 or more years older than the victim. 2. Force or coercion is used to accomplish the sexual contact. 3. When the assailant engages in the medical treatment or examination of the victim in a manner or for purposes which are medically recognized as unethical or unacceptable. 4. The assailant knows or has reason to know that the victim is mentally incapable, mentally incapacitated, or physically helpless. 5. The assailant is related to the victim by blood or marriage and the sexual contact occurs under circumstances not otherwise prohibited by the CSC law. 6. Assailant is a mental health professional and the act occurs during 2 years after the victim was a client and the victim and client are not married. 8. The assailant is 16 or 17 years old and a student at a school and is not emancipated and is not married to assailant. Assailant is a teacher, substitute teacher, or administrator, or is an employee or a contractual service provider of the school or school district, or is a Federal, State of Michigan, or local unit of government employee assigned to provide any service to that school or school district, or is a volunteer who is not a student of the school or school district in which the victim is enrolled and the assailant uses that status to gain access to, or to establish a relationship with the victim. 9. Victim is 16 through 25 years old and is receiving special education services and the victim and assailant are not married and assailant is a teacher, substitute teacher, or administrator, or an employee or a contractual service provider of the school or school district in which the victim is enrolled, or is a Federal, State of Michigan, or local unit of government employee assigned to provide any service to that school, or school district, or is a volunteer who is not a student and the assailant uses that status to gain access to, or to establish a relationship with the victim.

Common Reactions to Traumatic Events

Initial Crisis: For the first few days or weeks, the assault may seem unreal. You may feel numb or you may experience intense or heightened emotions. You might even have physical symptoms of shock: feeling weak, nauseated, moving slowly, nightmares or inability to sleep. There is nothing wrong or unusual about these kinds of reactions.

Outward Adjustment: This is a time when pressure to “get on with your life” might come from within or from others in your life. Many survivors may appear, on the outside, to have forgotten about the rape or be satisfactorily “dealing with it” as they deal with practical matters such as returning to school, work, or other normal routines. Sometimes well intentioned family members, friends, or significant others encourage this. You may find yourself trying to block the experience out of your memory. This can be an important and self-protective coping mechanism for the short term.

Secondary Crisis: For many people, something happens in their life (a trigger) which may make their previous coping mechanisms ineffective, causing them to face the assault. Acknowledging the assault may be quite painful. What formerly seemed unreal or was denied, may become very real to you. Survivors of sexual assault describe feeling depressed and/or having flashbacks or obsessive thoughts about the assault. You may replay the assault or parts of the assault in your mind many times. You may also experience intense anger. Again, it is important to remember that these responses are completely normal.

Integration: You are changed by the assault, but have integrated the experience as one event among many life experiences. You may feel as though you have survived the assault and have dealt with the thoughts and emotions of the trauma. You may still spend time thinking about and talking about the assault, but may find that when triggers and flashbacks occur, the feelings surrounding the experience do not last long and may become less intense over time.

Healing is possible; however it will take work. You may need the support of loved ones or the help of caring professionals. Remember that others have gone through this and YOU ARE NOT ALONE. See the Resource Section at the end of this book for information about your local Rape Crisis Center.

The recovery process has neither a timeline nor a sequence. Individuals often move back and forth between phases.

Talking with Significant Others

You may be wondering who you should tell or what you should say to significant people in your life. Parents, friends, employers, neighbors, and partners can be sources of support and solace. Follow your own heart when deciding who to turn to. You may worry that you are relying on others too much. It is okay to ask for help in times of crisis. People who truly care about you will want to help; people who truly care about you may need to be told how to help you. It is okay to tell people what you need from them. It is okay to say:

“I don’t want to be touched.”

“I need to be held.”

“I would like to talk about what happened.”

“I don’t want to discuss that.”

If someone close to you is having a difficult time being supportive or coping with your assault, you might ask them to read the following section.

How to Help a Survivor of Sexual Assault

- Believe her.
- Reinforce that the assault was not her fault.
- Validate her experience.
- Be supportive, don’t overreact.
- Be patient. The survivor may express a range of strong emotions.
- Allow the survivor to offer or not offer the details of the assault, DON’T PRY.
- Don’t gossip. Allow the survivor to choose with whom she shares the details of the assault.
- Understand that the survivor might not want to be touched.
- Consider that this experience is only ONE part of this person’s life. Don’t let it overshadow other aspects and experiences.
- Avoid being overly protective or attentive. The survivor may want safety and company, but not necessarily want to be the center of attention.
- Don’t take decision making power away from the survivor.
- It is okay for you to have needs as well! Find support for yourself.

Consequence	Action	Circumstance
<p>First Degree CSC Up to life and lifetime electronic monitoring if not in prison.</p>	<p>Includes penetration</p>	<ol style="list-style-type: none"> 1. Victim is less than 13 years old. 2. Victim is 13, 14, or 15 years old and assailant is a member of the household. 3. Victim is 13, 14, or 15 years old and assailant is related to the victim by blood or marriage. 4. Victim is 13, 14, or 15 years old and assailant is in a position of power or authority and uses that authority to coerce the victim to submit. 5. Victim is 13, 14, or 15 years old and assailant is a teacher, substitute teacher, or administrator of the school or school district in which the victim is enrolled. 6. Victim is 13, 14, or 15 years old and assailant is an employee or a contractual service provider of the unit of government employee assigned to provide any service to that school or school district or is a volunteer who is not a student and the assailant uses that status to gain access to, or to establish a relationship with the victim. 7. Another felony is committed. 8. Assailant is aided and abetted by one or more other people and victim is known to be physically helpless, mentally incapable, or mentally incapacitated. 9. Assailant is aided and abetted by one or more other people and force or coercion are used. 10. Assailant is armed with a weapon. 11. Assailant uses force or coercion and causes personal injury to the victim. 12. Assailant causes personal injury to the victim and knows that the victim is physically helpless, mentally incapable, or mentally incapacitated. 13. Victim is physically helpless, mentally incapable, or mentally incapacitated and the assailant is related to the victim by blood or marriage or is in a position of authority over the victim and uses that authority to coerce the victim to submit.
<p>Second Degree CSC Up to 15 years and lifetime electronic monitoring if not in prison.</p>	<p>Includes sexual contact</p>	<p><i>All of the circumstances listed above under CSC 1 apply and also</i></p> <ol style="list-style-type: none"> 1. Victim is under the jurisdiction of the Department of Corrections and the assailant is an employee, volunteer, or contractual employee of the Department of Corrections and knows that the victim is under the jurisdiction of the Department of Corrections. 2. Victim is under the jurisdiction of the Department of Corrections and the assailant is an employee, volunteer, or contractual employee of a private vendor that operates a youth correctional facility and knows that the victim is under the jurisdiction of the Department of Corrections. 3. Victim is a prisoner or probationer under the jurisdiction of a county and the assailant is an employee, contractual employee, or volunteer of the county or the Department of Corrections who knows the victim is under the jurisdiction of the county. 4. Victim is detained by a court in a facility while the victim is awaiting trial or a hearing, or is committed to a facility, having been found responsible for committing an act that would be a crime if committed by an adult, and the assailant is an employee, contractual employee, or a volunteer with the facility in which the victim is detained or committed.

Sexual Assault Laws

In Michigan the legal term used for sexual assault or rape is *Criminal Sexual Conduct* (CSC). The following information provides definitions of CSC and the potential consequences. A link to the current legal definitions relating to CSC may be found through <http://legislature.mi.gov/doc.aspx?mcl-750-520a>. If the perpetrator is charged with one of these crimes, an advocate at the local rape crisis center can help you better understand the charges and the criminal justice process.

Definitions

Penetration includes vaginal, anal or oral intercourse or putting a finger or other object into another person's anal or genital opening. Emission of semen is not required.

Sexual Contact is defined as the intentional touching of the victim's or actor's intimate parts or the clothing covering those intimate parts for the purpose of sexual arousal or gratification, done for a sexual purpose or in a sexual manner, or done in a sexual manner for revenge or to inflict humiliation or out of anger.

The table on pages 20 - 21 lists the possible criminal charges and penalties in the first column. These charges could be filed for the action specified in the second column in any of the circumstances listed in the third column. To access the laws relating to first, second, third, or fourth degree CSC, replace 520a in the link listed above with 520b, 520c, 520d or 520e respectively.

According to Michigan law, people who are drugged, incapacitated, or under the age of 16 are deemed unable to give consent.

Updates and Other Related Offenses: Effective August 28, 2006, 2006 MCL 750.520b was amended to add general sentencing provisions applicable to first-degree criminal sexual conduct (CSC-1) convictions and to provide specific penalties for certain CSC-1 offenses involving an offender aged 17 years or older and a victim under the age of 13. In addition, effective August 24, 2006, 2006 PA 162 added a new chapter to the Penal Code—Chapter LXVIII contains a group of new crimes – Human Trafficking involving forced labor or services, criminal sexual conduct and child sexually abusive activity. Refer to the Michigan Judicial Institute website for a downloadable copy of the Sexual Assault Benchbook and subsequent updates at <http://courts.mi.gov/mji/resources/sabb/sabb.htm>.

Support From Your Local Rape Crisis Center

Individuals outside your immediate circle of loved ones can also provide support and acceptance that may aid in your recovery. You are the person to determine the type of help that is most useful for you. Please consider that throughout the state of Michigan there are Rape Crisis Centers that offer advocacy and counseling. Don't hesitate to seek help from these programs.

An advocate is a professional who is trained to assist sexual assault survivors in medical and legal matters. The advocate has an understanding of “the system” and how it works. He or she has likely served numerous other survivors. Many programs offer legal advocacy, which will include accompanying a survivor to court, the police station, or meetings with the prosecutor. An advocate is a source of practical, useful information and emotional support.

A sexual assault counselor is a professional who is trained to address your emotional needs. Many who have experienced sexual assault find that a counselor offers compassion and help. Some find that they can more easily discuss their assault with a professional who has worked with other survivors. You will benefit most from counseling when you decide that you want it.

A Sexual Assault Nurse Examiner (SANE) program includes the use of a clinician (usually a registered nurse or nurse practitioner) with advanced education and clinical preparation in forensic examination of sexual assault victims who conducts the forensic exam of the sexual assault survivor. SANE programs assist survivors of sexual assault in receiving the most specialized treatment available.

Support groups are helpful recovery tools for many survivors. You may develop a supportive network with others who have had experiences similar to your own. Many survivors find support groups a valuable part of their healing process. A support group may be an alternative to counseling if you do not want one-on-one interaction.

See the Resource Section at the end of this handbook for information about your local Rape Crisis Center.

Chapter Three

MEDICAL CONCERNS

Receiving immediate and follow-up medical attention is one of the most important things that you can do for yourself if you have been sexually assaulted. You may have injuries that need to be treated, and you may want to be tested for pregnancy and sexually transmitted diseases (STDs).

Your local Rape Crisis Center will have information about local hospital procedures. A friend, relative, or advocate from your local Rape Crisis Center can accompany you to the hospital. **You do not have to do this alone!**

Chapter Four

CRIMINAL AND CIVIL JUSTICE SYSTEM

Eight Common STDs

INFECTION	SYMPTOMS	POSSIBLE PROBLEMS	TREATMENT
Gonorrhea	May show no symptoms. Discharge. Painful urination. Similar symptoms as Chlamydia.	Repeated pelvic infections. Damage to newborns. If untreated, can cause disease.	Curable with antibiotic treatment.
Chlamydia	May show no symptoms. Discharge. Painful urination and intercourse. Dull pelvic pain. Bleeding between menstrual periods for women.	Infertility in men and women. Eye and lung infections in newborns.	Curable with treatment.
Herpes	Blister-like sores. Swollen glands. Not always painful. Achy flu-like feelings. Symptoms may go unnoticed or go away.	Can cause severe damage in newborns if mother has an active infection.	Caused by a virus. Can be treated but not cured.
Syphilis	A sore. Usually painless. Later rash may develop on other parts of the body.	Heart, spine and brain may be affected. Severe threat to developing fetus.	Cured with antibiotics.
Hepatitis B	Symptoms may vary a great deal.	May cause liver cancer. May be fatal. Can be transmitted to newborns.	A vaccine is available to prevent Hep. B.
AIDS/HIV	Night sweats, shortness of breath, dry cough, swollen glands, rapid weight loss, increase in severity and number of illnesses.	Potentially fatal.	No cure has yet been found. Some experimental treatments available.
Genital Warts	Warts around genital area or rectum.	Can grow large and become obstructive.	Can be treated by a doctor.
Trichomoniasis	Itching. Heavy discharge. Frequent and painful urination.	Partners can pass back and forth, leading to repeated infections.	Curable with treatment.

Table adapted from information at www.plannedparenthood.org

If You Were Assaulted Recently

You are encouraged to go to an emergency room. The most important reason to do this is to check for injuries. Shock, and general aches and pains from the assault may be difficult to distinguish from a serious injury. Although it will not be easy, an exam may help set your mind at ease. You will also be given important information about STDs and pregnancy.

If you are not already using contraception, you may want to ask your doctor or nurse about emergency contraception, known as the “morning after pill.” This treatment is a high dose of estrogen that has proven effective as a prophylactic if taken within 72 hours of the assault. Your doctor or nurse will be able to discuss the risks and benefits of such a treatment. The hospital may also give you antibiotics for gonorrhea and chlamydia. You may be started on a vaccination series for the prevention of hepatitis B and referred for testing for HIV and syphilis. If base-line tests for pregnancy and STDs are completed they will only tell you if you were infected or pregnant before the assault.

Another important reason to receive immediate medical attention is to collect physical evidence for a criminal investigation. Under Michigan law every hospital emergency department is required to offer a Sexual Assault Evidence Collection Kit if the assault happened within the previous 24 hours. Evidence is best collected within 6 hours of the assault. You are not required to have the kit completed, and the hospital cannot refuse to use the kit if you are undecided about prosecuting your perpetrator.

The emergency room staff may recommend that you go to a local Sexual Assault Nurse Examiner Program for treatment, testing and evidence collection.

Specially trained staff at hospital emergency departments or nurse examiner programs can complete a sexual assault evidence collection exam.

This standardized exam is a series of lab tests that are designed to collect physical evidence for use in the prosecution of a sexual assault. Your nurse, doctor or an advocate from a Rape Crisis Center can explain exactly what the exam entails.

Will I need to make a police report? Many hospitals interpret the law mandating hospitals and physicians to report all injuries due to violence as a mandate to report all sexual assaults to the police. Being treated at an emergency department or having a sexual assault evidence collection kit completed does not mean that you have to talk to the police. You can choose not to speak to the officers. If you are currently unsure about participating in criminal prosecu-

You have the right to know exactly what is happening during the exam and you should ask questions if you have concerns.

criminal prosecution, having the sexual assault evidence collection kit completed will help keep your options open. Typically, evidence may be kept for a few weeks as you consider your options. Hospital personnel should inform you of how long the evidence will be stored prior to destruction. The sexual assault evidence collection kit cannot be released to the police without your signature on an authorization form.

Who pays for the hospital visit? Your private insurance plan should pay for the cost of the sexual assault evidence collection exam and medical treatment. If you are uninsured (do not want to use your parent's insurance), you should be able to work out a payment plan with the hospital. Most emergency departments have a policy of not turning anyone away because they cannot pay. You may qualify to have the cost of the sexual assault evidence collection exam reimbursed through the Crime Victim's Compensation Board. See page 26 of this handbook for more information.

“Rape Drugs” Some assailants use drugs (Rohypnol, also known as Roofies; Gamma hydroxybutrate, also known as GHB; Ketamine also known as Special K; to name a few) to physically control their victim and render them defenseless. If you believe you were drugged, inform your doctor. Blood or urine tests may detect the drug in your system. Testing should be done as soon as possible as some drugs can only be detected within 12 hours of ingestion.

What about a private doctor? Although you may feel more comfortable with your family doctor, he or she will not be available 24 hours a day, and will most likely send you to the hospital to have the sexual assault evidence collection exam completed. Private doctors do not have access to the kit. The hospital that treats you after the assault can send your discharge information to your private doctor and you can complete your follow-up care with her or him.

If You Were Assaulted In the Past

It is still very important to receive medical attention. You may want to have pregnancy and STD tests done. Although a sexual assault evidence collection exam can be performed at any time, the chances of collecting evidence decrease significantly when more than a few days have gone by. However, you can still report the crime to the police and prosecution is still possible.

Follow-up Medical Care

Follow-up care is vitally important. Any sexually transmitted disease that you may have contracted from the offender will not show up until later. A follow-up test for pregnancy is also recommended. Even if you were given preventative medication it is very important that you are re-tested a few weeks after the assault. A follow-up exam will also give you the opportunity to check your injuries and discuss any new physical symptoms that may have developed since the assault.

The hospital that treated you after the assault will have sent the hospital discharge papers to your doctor or given you the option to return to the hospital for a follow-up exam. The follow-up exam may bring back memories of the assault. This may be difficult for you and you may want extra support and counseling. If you are uninsured or have financial concerns, you can get pregnancy and STD tests at a local Planned Parenthood or your local health department. Planned Parenthood will charge you based on your ability to pay.

Testing for STDs

You may want to keep track of STDs for which you have been tested or treated. Ask your doctor or nurse exactly which tests are being completed. It may take several years for the symptoms of some STDs to show up. Information and testing could potentially save your life. The table on the following page contains information about the 8 most common STDs. Ask your health care professional for more information.

HIV/AIDS

While sexual assault survivors are at a low risk for HIV infection, an HIV test may help you feel more comfortable. It is recommended that you get tested 2-6 weeks following the assault and again at 3,6 and 12 months following the assault. Most county health departments will have information about free, anonymous HIV testing. You can ask a health care professional or sexual assault counselor for more information.

If it is determined by your doctor that you are at high-risk for HIV infection (i.e. your assailant is HIV positive or engages in high-risk behaviors such as injecting drugs) you may be a good candidate for HIV postexposure antiretroviral therapy. Your doctor will be able to discuss the risks, potential benefits and cost of this treatment with you. A person may be charged with a felony if he or she knows that he or she has been diagnosed with HIV, or knows he or she is HIV infected and engages in sexual penetration with another person without having first informed him or her of their HIV/AIDS diagnosis. [MCL 333.5210 Public Health Code].

Venereal Disease and HIV Testing of the Defendant

During the criminal proceedings, if a defendant is bound over to circuit court for a violation of a criminal sexual conduct offense and the district court determines there is reason to believe that the violation involved sexual penetration or exposure to a bodily fluid of the defendant, the court shall order the defendant to be examined and tested for venereal disease, Hepatitis B infection, Hepatitis C infection and for the presence of HIV or antibody to HIV.

With the victim's consent the Court will forward the victim's name, address and phone number to the medical facility that conducts the defendant's testing. The medical provider will immediately notify the victim of the test results. [MCL 333.5129].