



Reporting a Rape or Sexual Assault

The first few hours after an attack can be physically and emotionally exhausting. Many survivors are overwhelmed during this critical period. Filing a report may not be the first thing on your mind, or you may want to do it right away.

The first thing you should know is that it is the policy of Transformus to call the police if and when a sexual assault is brought to their attention. This is for the protection of everyone else at the event. While the accused will be identified, the decision to identify yourself as the victim is entirely yours. The following fact sheet from RAINN can help you make informed decisions about how to proceed.

Am I required to report to police?

No, you are not legally obligated to report. The decision is entirely yours, and everyone will understand if you decided not to pursue prosecution. (You should be aware that the district attorney's office retains the right to pursue prosecution whether or not you participate, though it is uncommon for them to proceed without the cooperation of the victim.)

Many victims say that reporting is the last thing they want to do right after being attacked. That's perfectly understandable — reporting can seem invasive, time consuming and difficult. Still, there are many good reasons to report, and some victims say that reporting helped their recovery and helped them regain a feeling of control.

Is there a time limit on reporting to the police?

There's generally no legal barrier to reporting your attack even months afterwards. However, to maximize the chances of an arrest and successful prosecution, it's important that you report as soon as possible after the rape. If you aren't sure what to do, it's better to report now and decide later. That way, the evidence is preserved should you decide to pursue prosecution. *Editor's Note: In North Carolina, there is no statute of limitations for felony assaults. There is a two-year statute of limitations for misdemeanor violations.*

What if I need time to think about whether I want to pursue prosecution?

Understandably, many people aren't ready to make the decision about prosecution immediately after an attack. It's normal to want time to think about the decision and talk it over with friends and family. If you think you might want to pursue prosecution, but haven't decided for sure, we recommend that you make the police report right away, while the evidence is still present and your memory is still detailed. The district attorney will decide whether or not to pursue prosecution, however it is unusual for cases to proceed without the cooperation of the victim. And if prosecution is pursued, the chance of success will be much higher if you reported, and had evidence collected, immediately after the attack.

Can I report to police even if I have no physical injuries?

Yes. In fact, most rapes do not result in physical injuries. So, the lack of such injuries should not deter you from reporting.

It's also important to get medical care and to be tested for sexually transmitted infections and pregnancy, even if you think you aren't injured. And keep in mind that rape can cause injuries, often internal, that aren't visible. Many hospitals have special equipment that can detect such hidden injuries.

The rapist got scared away before finishing the attack. Can I still report it?

Yes. Attempted rape is still a serious crime and should be reported.

I knew the person who raped me and invited him/her in. Can I still report it?

Yes. About 2/3 of victims know their attacker. And the fact that you were voluntarily together, or even invited him/her home with you, does not change anything. Rape is a serious crime, no matter what the circumstances.

Do I have to go through the police interview alone?

In most areas, a trained volunteer from your local rape crisis center can accompany you to the police interview. The volunteer can also answer your questions about the process and explain how it will work. To reach your local crisis center, call 1.800.656.HOPE (4673).

What's the reporting process?

In most cases, the police will come to you and take a statement about what occurred. It helps to write down every detail you can remember, as soon as possible, so you can communicate the details to the police. In addition to taking a statement, police will collect physical evidence. Also, your nurse or doctor may conduct an exam to collect hair, fluids, fibers and other evidence.

The police interview may take as long as several hours, depending on the circumstances of your case. Some questions will probably feel intrusive, and the officer will probably go over the details of your attack several times. The extensive questioning isn't because the police don't believe you; it is the officer's job to get every detail down precisely, to make the strongest possible case against your rapist.

I'm afraid that my actions will be scrutinized and I'll have to testify about intimate details of my personal life.

Many successful prosecutions end in a plea agreement, without trial, which means that the victim will not have to testify. However if your case does go to trial, you will generally have to testify. Although there are no guarantees, prosecutors have legal tools they can use to protect you in court. One tool is called a rape shield law, which limits what the defense can ask you about your prior sexual history. The prosecutor can also file legal motions to try to protect you from having to disclose personal information.

What if I decide not to report?

Reporting is a very personal decision, and you should make the decision that's right for you. While we encourage you to report, if you decide not to, for whatever reason, that's perfectly understandable and there's no reason to feel bad about your decision.