

You have Been Raped Legal Action

Preserve the evidence: Do not wash, change your clothes, bathe or douche until you have had a medical examination. Save torn clothing articles which may have fingerprints, anything broken in a struggle, or any weapon used by the rapist. Remember the license plate number, the description of the rapist, his hair etc.

Call the Police immediately: This will help find the suspect. You may go to the police station initial investigation will come immediately to take down a statement. They will take you to the emergency ward of a hospital for medical examination to obtain evidence therefore; you will require a change of clothing. Detectives will conduct a more detailed interview. They will question you thoroughly about the suspect and the rape situation. Some of the questions may seem irrelevant or make you feel uneasy: don't hesitate to ask for an explanation.

Call a Friend, relative or KWSASC: Should you decide to prosecute, the first person you talk to after the rape will be a key witness in your case. Therefore, it is legally essential that a complaint be made to someone at the first reasonable opportunity. (This can be the Police). There is also the value of having someone with you for moral support. (It is unwise to relay your story to too many people before relaying it to the police. Facts may become distorted or out of sequence).

Get medical attention: For legal evidence the doctor should check:

1. The whole body for injuries
2. Presence of torn or stained clothing
3. Do a pelvic examination for internal injuries and take vaginal samples.

In any case, the doctor should:

1. Make sure all injuries are treated.
2. Take cultures for gonorrhea or other infections
3. Do a routine blood test for syphilis
4. Ensure follow-up testing for gonorrhea, syphilis and possible pregnancy.

Get a V.D. Retest and a Pregnancy test: A retest for syphilis will be necessary in 4-6 weeks; gonorrhea checks in 4-7 days. Until you have a negative results on these tests, you could be spreading V.D. a pregnancy test is not valid until 6 weeks after your last period. KWSASC will arrange pregnancy tests, if you are pregnant, we will refer you to agencies that will counsel you on the alternatives.

Write down the details of the rape: It may take some time before the rapist is apprehended and brought to trial. Your immediate recollection of particulars surrounding the rape, will help you, and will also be instrumental in any later investigation or report.

Going to court: KWSASC will give you information, accompaniment and support. However, the decision must be your own. It will be a long and difficult process. You must keep the facts firmly in your head, and not allow yourself to be intimidated. The major issues in a rape case are the identity of the accused, penetration of the vagina, and

lack of consent on the part of the victim. When a suspect is apprehended by the police, you will be asked to come down and identify him you may be asked to pick him out of a line-up.

- ◆ **Bail Hearing:** This takes place after the suspect is apprehended. In 90% of the cases bail is granted on his “own recognizance”.

- ◆ **Preliminary Hearing:** This takes place a couple of months later and you will be informed in advance. The prosecution may talk to you about your case beforehand. The purpose of the preliminary hearing is to establish whether there is enough evidence to go to trial. It last several days. You the accused and important witnesses in your case (police, doctor, etc.) will testify and be cross-examined before the Judge.

- ◆ **Trial:** This finally decides the case. It may occur several months after the preliminary hearing it is generally heard before a judge alone. The same individuals are present at the trial as in the preliminary hearing, plus any other relevant defense witnesses.

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