

When Does the District Attorney Get Involved?

Generally, the police refer the case to the District Attorney's Office prior to filing for any criminal charges. The District Attorney's Office will decide whether there is sufficient evidence to proceed with charges against the perpetrator in court. An Assistant District Attorney and a Victim/Witness Advocate will be assigned to your case and they will meet with you in person.

They will explain the process of going forward with a case in court, including what role you would have in the case, what charges could be brought against the perpetrator, how long the case would take in court, and the potential outcome of the case including the potential penalty the perpetrator could face if convicted. You will then decide together whether to proceed with charges.

What if I Don't Want to Go Forward?

Except in very rare cases, the police and the District Attorney's Office will not proceed with sexual assault charges unless you want that to happen. Your input will always be part of the decisions made by the police and the District Attorney's Office.



Sexual Assault Resources:

Northwestern District Attorney
David E. Sullivan's Office:
Northampton (413) 586-9225
Greenfield (413) 774-3186
www.northwesternda.org

New England Learning Center for Women
in Transition (NELCWIT)
24/7 Hotline (413) 772-0806
www.nelcwit.org

Center for Women and Community (CWC)
24/7 Hotline (413) 545-0800
www.umass.edu/cwc

Visioning B.E.A.R Circle Intertribal
Coalition (413) 961-9167

Statewide:

Jane Doe Inc., The MA Coalition against
Sexual Assault and Domestic Violence
24/7 Hotline (877) 785-2020
www.janedoe.org

The Network/ La Red
24/7 Hotline (617) 742-4911

Llámanos - Spanish-speaking
Rape Counselors (800) 223-5001
Mon-Fri, 11:00 a.m-5:00 p.m.

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Reporting Sexual Assault to Law Enforcement



A Guide for Victims/Survivors



Northwestern District Attorney
David E. Sullivan is committed to
protecting victims and to holding
offenders accountable.

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David E. Sullivan's
Domestic Violence and Sexual Assault Unit

Updated 2021

What is Sexual Assault?

Massachusetts Law defines rape as the penetration of the victim's body with a body part or an object without the victim's consent and through the use of force or threat of bodily injury. Rape includes forced:

- sexual intercourse
- oral sex
- digital penetration
- penetration with objects

The law also punishes attempted rape or other forms of unconsented sexual touching, including touching of the private parts over clothing.

How Common is Sexual Assault?

1 out of every 6 American women has been the victim of attempted or completed rape in her lifetime.

Approximately **2/3** of sexual assaults are committed by someone known to the victim.

60 percent are not reported.

Results from Rape, Abuse and Incest National Network (RAINN).

How Do I Report a Sexual Assault?

If you have been a victim of sexual assault and you want to make a report, contact the local police department in the town or city where the sexual assault occurred. In most circumstances, that police department will be the one that investigates the incident and brings charges. However, if it occurred on a college campus, you should call the campus police. Also, in some situations, the state police will take over an investigation.

If you are thinking about reporting a sexual assault, but want to talk to someone about it first, you can call your free, local, 24-hour Rape Crisis Hotline for confidential counseling, emotional support, information, and medical and legal advocacy. They can provide someone to meet you at the police department or hospital. You can also call the Victim/Witness Unit at the District Attorney's Office and speak with an advocate about the process of making a report and bringing a case to court. [*See resources on back page.*]

Evidence Collection and Medical Treatment

If the assault occurred within five days, but you are not sure if you want to report it to the police, you should still go to your local hospital and ask for a sexual assault evidence collection kit to be performed. You will meet with a specially-trained nurse who will collect evidence and provide medical treatment including testing for sexually-transmitted diseases and pregnancy. It is up to you whether you want to consent to some or all of the examination. The kit will be filed as "anonymous" and held for six months, during which time you can decide whether to make a report to the police.

What Does it Mean to Make a Report?

A police officer will need to take a detailed statement from you. This statement needs to include:

- the details of the assault
- information about things that happened before and after the assault
- information about your history with the perpetrator, if any

It can be difficult to recount the details of such a traumatic event. **If you do not remember all of the details, that is completely normal and understandable.** The officer will just document everything you do remember.

Be Honest

It is important that you are completely honest about all of the details of the events in question, including things that you believe may be used against you. If you omit information in your statement and that is discovered later, it can be very difficult to prosecute a case in the future. Nothing you may have done, including consuming alcohol and drugs, justifies sexual assault.

What Happens After I Make a Report?

The police will take the information you provided in your statement and begin an investigation. This may include:

- speaking with any potential witnesses, including people who observed or spoke with you before and after the assault
- collecting physical evidence if still available, such as bedding
- taking photographs of the location of the assault
- asking for permission to copy relevant information on your phone, such as text messages, voicemails, and photos
- speaking with the perpetrator after consulting with you about this process