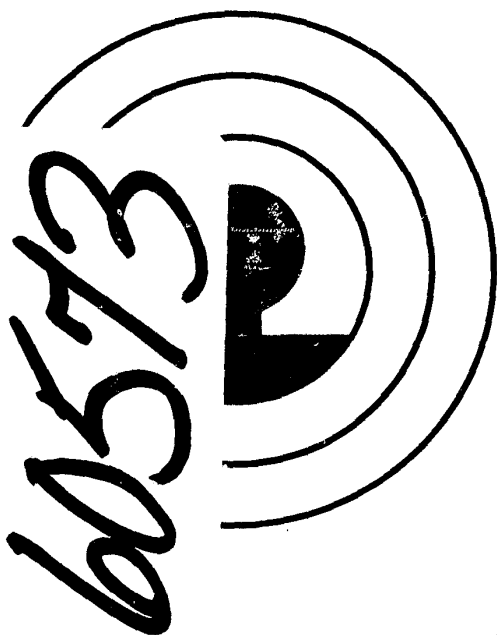


SEXUAL ASSAULT

THE TARGET
IS YOU!



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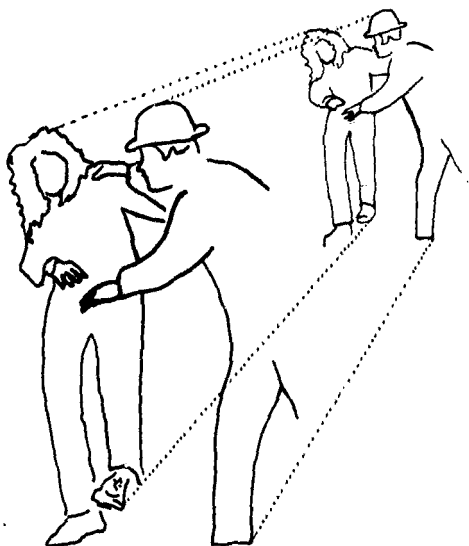
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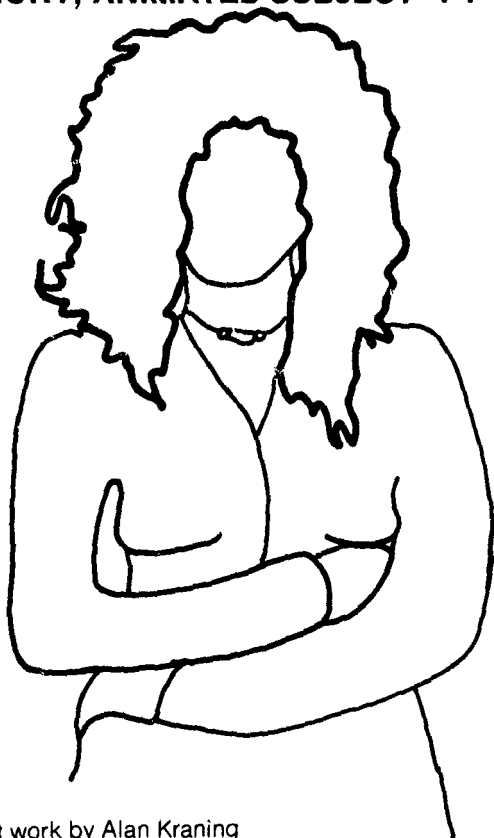
Commissioner Sam Sivanich

District No. 7

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**FLIP THE PAGES AT UPPER RIGHT
CORNER OF THIS BOOKLET FOR A
SHORT, ANIMATED SUBJECT* . . .**



*Art work by Alan Kraning

SEXUAL ASSAULT SERVICES OF THE OFFICE OF THE HENNEPIN COUNTY ATTORNEY

Sexual Assault Services has three main goals. It seeks to prevent sexual assault, to minimize the emotional trauma suffered by victims and their families, and at the same time to identify, prosecute and effectively rehabilitate criminal sex offenders.

Sexual Assault Services is developing county-wide systems to deal with victims of sexual assault.

To do this, we are encouraging victims of sexual assault to report the crime, either to law enforcement or counseling agencies.

We are a coordinating service which links police, medical, counseling and legal people who work with sexual assault victims.

In an attempt to increase awareness of the problem of sexual assault, we are providing education programs for the general public, which include information on community services that are available to assault victims.

We are providing crisis intervention training programs for medical, law enforcement, legal, social service and volunteer personnel, with special emphasis on sexual assault and are developing better procedures for investigating and gathering evidence in sexual assault cases.

We are seeking legislation which will improve the state's current criminal sexual conduct laws and we are collecting data and doing research in order to gain a better understanding of sexual assault and the problems of its victims.

HOW TO PREVENT SEXUAL ASSAULT

There are several methods to protect yourself against sexual assault. However, no method is going to protect you completely. Realizing that you could be a victim of sexual assault is the first step in protecting yourself. You will then begin to notice how and where you could be vulnerable.

Training in physical self-defense, assertiveness and developing your own ideas of how you would react in an assault situation can help you cope effectively.

For information about training courses in physical self-defense and assertiveness, refer to page 44.

You should also observe these common sense precautions around your home, on the street, hitch-hiking, in your car and for your children:

IN YOUR HOME

- Do not allow anyone in unless you know them.
- Keep doors and windows locked at all times. Use good locks.
- Have a viewer or sighthole in your door and make use of a safety chain.
- Receive packages by signing the slip and having the package left outside.
- Keep shades closed at night so passers-by can't see inside.
- If you see a "peeping tom", call the police.
- Don't announce that you will be home alone.
- If you are going to hide your keys, use some imagination.
- Turn on the lights, inside and out, if you aren't at home; if you will be gone for very long, use a timer for the lights.
- Ask neighbors to watch for people lurking near the house.
- If someone is at your door, ask who is there and for identification BEFORE you open the door.
- Dogs are excellent protection. Even friendly dogs sound the alarm.
- If laundry facilities are accessible to the public in your apartment building, take a companion with you when using them.
- Don't list your first name on the mailbox or in the phone book. Use your first initial. Avoid using "Miss", "Mrs.", or "Ms."
- Hang up on lewd or nuisance phone calls and don't prolong suspicious calls. Report these to the phone company.
- Don't give your name, address or phone number to a stranger on the phone. He may have just called your number at random. Instruct children and babysitters never to give out this information.
- If the voice is unfamiliar, verify the identity by looking up the name given you and calling back before giving out any information.
- Never allow small children to answer the door. Because they are friendly and unafraid, they will usually admit anyone.
- Do not keep valuable articles in plain view from your windows, stereos, etc.

- If you will be away from home, ask a neighbor to take in your newspapers and mail, and ask your local police to watch your home.

ON THE STREET

- When out at night, try to be with other people. There is safety in numbers.
- Carry a flashlight.
- If you feel you are being followed, turn to look and be alert. You will less likely be attacked.
- Stay in well-lit areas; avoid parks.
- Carry a purse close to your body or under your coat.
- Walk facing traffic.
- When out at night, take note of open stores and businesses.
- When using public transportation, be aware of everyone getting off with you.
- Don't sleep or doze while using public transportation.
- When arriving home late at night, don't stop to pick up the mail.
- If someone is following you, go to the first lighted house or phone booth and call the police. If you don't know the number, have the operator ("O") connect you directly. Don't lead the person to your own home.
- Use the Red Box emergency phones on the street for immediate emergency police protection.
- Don't take chances or be over-confident.
- Never engage in physical combat unless it is unavoidable. It is far better, when possible, to run.
- Remember, if you are alone at night to:
 1. yell "fire" if attacked.
 2. walk toward curb or in street, not near buildings, trees or shrubs.
 3. if someone is following your car, drive to the nearest police station or open service station.
 4. if walking to a neighbor's house, walk under street lights where others can see you.

IF YOU MUST HITCH-HIKE

Hitch-hiking is ALWAYS dangerous and should be avoided whenever possible. If you insist on hitch-hiking:

- Try not to hitch by yourself.
- Try not to hitch at night, but remember that hitching in daylight can be dangerous, too.



- Try to get rides where there is a lot of traffic and don't hitch to deserted places.
- Never accept a ride with more than one man. Don't be afraid to say "No thanks" to a larger group, and stay away from the door when you refuse.
- If you get a ride from a woman, encourage her to continue picking up other women.
- When accepting a ride from a man, do the following things when entering the car:
 1. Look in the back seat of the car; a person could be hiding.
 2. Make sure the man is not exposing himself and that he is fully clothed.
 3. Watch to make sure he keeps his hands on the steering wheel or leaning on the window.
 4. Don't accept a ride from a person who was speeding and slammed on his brakes to stop.
 5. Don't accept a ride from a person who changed directions to pick you up.
- Keep your window partially down in case you have to scream.
- Wear a whistle (good metal ones cost 50¢); blow in the driver's ear, or out the window as a signal for help.
- If you smoke, always have a lit cigarette. If he grabs you, the cigarette should be jabbed in his face.
- Ask him how far he is going before he asks you. Never get dropped off directly where you are going.
- If you carry a purse, hold it in your lap with your left hand and keep the right hand on the door handle. The bag can be used against an attack and you might need to get out fast. Your left elbow can also be jabbed in his ribs.
- Try not to wear "sexy" clothes when you know you have to hitch. Many men judge their riders this way. Your clothing may influence the type of person who will pick you up.
- If the man wants to make a "stop" first, get out as soon as possible.
- Make sure you know where you are going in case he makes a "wrong turn" and don't ever ride out into the country or outer-urban areas.
- There may be a time when you might have to jump from a moving car. Make sure you can roll to a clear spot away from moving cars. Throw your shoulders first with your right hand near your body. Tuck your head in and keep

your body curved. Let your feet follow. It will hurt but if you fear danger and you aren't near any stop lights, it may be your only choice.

- Try to get the license plate number of threatening men.
- KEEP YOUR DOOR UNLOCKED AND KEEP YOUR HAND NEAR THE DOOR HANDLE.

IN YOUR CAR

- Always keep the doors locked and before getting in, check to see that no one is hiding in the car. Lean on the horn if there is trouble.
- Make sure that your car is in good running condition and don't let your gas tank go below half-full, so that there will be less chance of your getting stranded.
- Keep your windows rolled up if you are riding through a bad area. Always keep the doors locked while driving; the passenger side is most vulnerable.
- Don't let strangers into your car for any reason. If someone indicates something is wrong with their car, drive to the nearest service station, and send help to them.
- Avoid parking in dark, uninhabited areas if possible.
- Be cautious when giving directions to pedestrians or other drivers

PRECAUTIONS FOR CHILDREN ARE NECESSARY, TOO:

In September 1977 Sexual Assault Services received a two year "Child Sexual Abuse Prevention Grant" from the McKnight Foundation. For more information on: 1) how to talk to your children, 2) elementary school programs, 3) services for children and 4) pregnancy, call Sexual Assault Services 348-8835. Remember, boys are just as vulnerable as girls.

TO FIGHT OR NOT TO FIGHT

Two main theories on how to react to a sexual assault exist. One is to fight the offender, and the second is not to fight, but rather to talk him or her out of the assault. There is no sure method to get out of a sexual assault. What will work on one offender may not for another, and each situation must be individually evaluated.



Training courses are being designed for individuals to learn correct responses in assault situations. The best courses are those that explore the physical as well as psychological and environmental aspects of self-protection.

For information about courses in self-defense, refer to page 44.

One of the best methods of protection is to use your senses. If you think the situation you are in doesn't FEEL right, get out of it right away. Many victims of sexual assault say "I thought it wasn't right", or "I felt there was something wrong."

**DO NOT RESIST AGAINST A WEAPON.
REMEMBER, YOUR LIFE IS MOST IMPORTANT. USE YOUR COMMON SENSE.**

Don't ever resist a sexual assailant if you believe that doing so will endanger your life.

Minnesota law formerly required proof that the victim of a criminal sexual assault "resisted to the utmost of his/her ability" before a conviction could be obtained. THE NEW MINNESOTA LAW ELIMINATES THIS REQUIREMENT. IT STATES THERE IS NO NEED TO SHOW THAT THE VICTIM RESISTED THE ASSAILANT.

WHAT YOU SHOULD DO RIGHT AFTER A SEXUAL ASSAULT

During the assault, use sense. If possible, leave evidence at the scene of the crime, such as fingerprints, a coat or blouse button, ear-rings, a shoe or anything else that could confirm your presence at the scene of the crime.

Immediately following the crime:

DO NOT bathe or otherwise clean yourself. This probably will be very difficult, but is absolutely necessary in order to present evidence critical to the identification of the assailant.

DO NOT clean or throw away your clothing. It too may bear valuable evidence.

DO NOT comb your hair, put on make-up, cover up a physical injury or in any way straighten yourself up because pictures of you will be taken and submitted to the jury.

DO NOT clean, rearrange or alter the scene of the crime. Again, valuable evidence may be destroyed in the process. Pictures will also be

taken here. Fingerprints or other evidence identifying the assailant may be obtained.

Following a sexual assault these things are very difficult to resist doing, but please remember they can make or break a sexual assault prosecution.

CALL THE LOCAL POLICE DEPARTMENT.

THE WHO, WHY AND WHAT OF SEXUAL ASSAULT

Many of us will never experience the immense suffering produced by sexual assault. However, some of us will. Research indicates that roughly one out of ten American women will be criminally sexually assaulted some time in her life. Once every ten minutes a woman is raped in the United States. If all such assaults were reported, experts guess the actual number of recorded criminal sexual assaults could be anywhere from five to twenty times greater than presently reported.

Current records do not provide enough information by which accurate analysis can be made regarding the who, why and what of sexual assault. But some trends can be seen:

What Is Sexual Assault?

Sexual assault is when a person is forced into sexual activity he/she does not want to be involved in or is under the age of consent. Sexual assault is not just rape. It includes a variety of sex acts, such as cunnilingus, fellatio, anal sodomy, buggery, masochism, sadism, child molestation, incest, same-sex assault and forcing a loved one into an undesired sexual act.

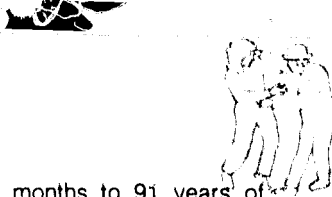
Who Is Sexually Assaulted?

Sexual assault is perpetrated upon men, children and most of all women. National statistics variously estimate that only five to twenty percent of women who are criminally assaulted report the crime.

It is reasonable to assume that even fewer instances of same-sex assault, incest and child molestation are ever reported.

Age

Sexual assault knows no age limits. National statistics show that there is sexual assault upon



persons ranging from 6 months to 91 years of age. The majority of female sexual assault victims fall into the 15 to 25 year-old range. People cannot allow themselves to believe they are immune from sexual assault just because of their age.

Where does Sexual Assault Happen?

Sexual assault can occur anywhere: in the city, in the suburbs, in rural areas, in your home, in a neighbor's home, in church and in school.

Many assaults occur in a person's own home due to break-ins or because the assailant was innocently admitted as someone entitled to enter. A number of assaulted persons are attacked on the street while hitchhiking or merely out walking.

When Does Sexual Assault Happen?

Sexual assault occurs any time, day or night, at any time of the year. Many forcible sexual assaults, especially rape upon women, occur during the evening and night hours, particularly on weekends. Summer months generally have higher rates of sexual assault than in winter.

Who Is The Assailant?

The assailant can be anyone. Persons are sexually assaulted by men, women, children, strangers, friends, neighbors, dates, acquaintances, groups of persons, family members, home repairmen and many others. A recent survey of reported sexual assaults in Minnesota shows that over 65 percent of these assaults are perpetrated by an assailant known to the assaulted person.

Why Sexual Assault Occurs:

Sexual assault occurs for many reasons. It is primarily an aggressive, hostile act of violence rather than a sexual act. Some offenders were physically or sexually abused as children. Others act out their anger at parents, spouses, society or persons with authority over them by sexually assaulting innocent persons. Some offenders are unable to communicate their sexual needs in a normal, adult relationship while others simply assert their dominance over a weaker person through sexual assault.

THE FEELINGS OF THE SEXUALLY ASSAULTED PERSON

During the assault itself you will probably be frightened and threatened beyond anything you have known.

Following the assault, victims display a variety of emotional reactions. Their sequence and intensity will vary with each individual. But generally these reactions will emerge:

1. *Relief* — It is finally over, the assailant is gone and you are alone.
2. *Shock, numbness* — Any traumatic event or crisis produces this response. It is an attempt to believe it has not happened. People try to regain normal life-patterns after a shock. You will feel very brittle and will likely fluctuate between degrees of hysteria and over-control.
3. *Guilt, shame* — You begin to ask yourself if you "asked for it." You wonder if you fought hard enough. You may even blame yourself. Depression sets in and your self-respect vanishes. Nightmares and flashbacks often occur. Some victims even think of suicide.
4. *Fear, suspicion* — this reaction is usually present through all the states of reaction. Fear of being assaulted again, even by those you trust, enters your mind.
5. *Discomfort* — There is an unwillingness to accept your own bad feelings about yourself. This stage can last a lifetime. It may make it hard for you to discuss the crime. Nightmares and flashbacks may subside during this stage.
6. *Avoidance of subject by others* — You begin to want to discuss this with others, but you have difficulty finding someone willing to listen. Many people will urge you to forget it and not drag it up again.
7. *Anger* — This is the start of regained health. But your anger can be frustrating and confusing, because it is directed both at the assailant and at society.
8. *Acceptance* — This stage puts it all behind you as you begin to look ahead. "It happened, it was terrible, but it's over."

Many sexually assaulted persons find that reporting the crime and prosecuting the assailant helps them work through the emotional trauma of their experience.



HOW TO HELP SOMEONE CLOSE TO YOU AFTER A SEXUAL ASSAULT

How does sexual assault affect a person? How does sexual assault affect those closest to the victim? How can you help? Far more than anyone else, it is the people closest to the victim who influence how the victim will deal with the attack.

Most victims react to the terror and the fear that is involved with "I could have been killed." The best way for you to understand what the victim is feeling is to try to remember a situation where you felt powerless and afraid. You may remember feeling very alone and needing comfort.

Often a sexually assaulted person badly needs care and support. Try to show, in your own way, that you care and would like to help.

It is advisable and therapeutic for a victim of a sexual assault to talk about it but it is not helpful to force talk before the victim is ready. People who listen to a victim many times wonder if it actually happened or if it happened exactly the way the victim tells it. This attitude can easily be harmful because it probably will cause anxiety and guilt at a time when the person needs to have those very feelings lessened by your support and trust.

You should allow the victim to talk about his/her immediate concerns. Remember, too, the victim may want to talk about other things. After the assault the victim may often concentrate on other problems and it is important that he or she talk about them. They may include transportation, safe housing, etc. Probably the most important thing to remember is that you should show that you are willing to let the victim talk.

But the victim might find it impossible to talk to you. This is sometimes the case when the victim is very sensitive to how you feel about the assault. If the assault distresses you greatly, the victim may try to protect your feelings. Or, the victim might find it hard to face you because of your close relationship.

If this is the case, encourage the victim to talk to someone else he/she trusts. Remember that the assault has brought about feelings of powerlessness. The victim has experienced an overwhelming event that demonstrates vividly that there are times when a person has no control over what happens in his or her life. It is very important to be able to talk about this in order to regain confidence and to get rid of

feelings of shame or guilt over the experience.

Most often victims need peer support, but if necessary you should encourage the person to seek professional help. This is not a sign of weakness or failure either on your part or on the victim's part.

Whether or not counseling is sought, it is not a replacement for warm, concerned, loving communication. A counselor may help get things in perspective again but he or she cannot take your place in the victim's life.

Sexual assault not only affects the victim but also you, because it plays on your own fears. Try to recognize the fears for what they are — otherwise you may end up projecting them on the victim. This can cause serious problems in your relationship with the victim. Give the victim the right to make his/her own decisions. Don't be over-protective.

It should also be noted that if the victim has pressed charges, the whole process of prosecution involves a lot of stress. Your awareness of the legal process and problems involved will be important and helpful to the victim.

HOW TO REPORT A SEXUAL ASSAULT

It is important to report a sexual assault right away. Immediate reporting lets police assist the assaulted person as soon as possible. This minimizes emotional and physical injury.

Prompt reporting enables police to pursue the assailant more effectively. It increases the chance of the assailant being taken into custody rapidly. A suspect can be apprehended soon after the crime, which not only strengthens the victim's case, but also protects others from possible assault.

Most important of all is that you report in order to get help for yourself — to treat injuries and to meet your emotional needs.

You may report an assault by telephone or by walking into any number of places. Reports should be made to the police if possible, but you can report to hospitals or counseling centers, too.

Very frequently the sex offender will threaten future reprisals if you report the crime. It has been shown that almost always these are empty threats. Very few sex offenders would chance a second attempt with the same person. It is understandable that you would



be inclined to heed such a threat after being assaulted, but the assailant has no way of knowing whether you report it or not. And when you report it, you will receive police protection, prompt understanding, counseling and medical attention.

Some data has shown that only about one out of 14 female victims of sexual assault ever reports. Reporting of same-sex assaults, incest, sexual abuse and molesting of children is probably much lower.

Not only that, but right after an assault, victims frequently do not think they will prosecute. Experience has shown that many change their minds later on.

Sexual assault cases are somewhat difficult to prosecute successfully. If the victim has not reported promptly, chances of a successful prosecution later on are remote. Juries tend unfortunately not to believe a sexually assaulted person's testimony if this felony was not reported right away. The laws state that felony convictions must be "beyond any reasonable doubt," so guilt must be proved.

This does NOT mean that a sexual assault isn't worth reporting if not done right away. Although late reporting may not produce enough evidence to charge an assailant, it will at least alert police to the individual and his methods. There may be a pattern the police have seen before. That late report can serve as needed evidence in a prosecution initiated by another victim.

Sexual assault can be doubly traumatic if it is not reported. The assault itself, along with the frustration of being helpless to do anything about it can cause emotional problems.

Remember — a prompt report is better than a late report and a late report is better than no report at all.

THE MEDICAL EXAMINATION

Hennepin County Medical Center, the Minneapolis Police Department, the Hennepin County Attorney's Office and the Neighborhood Involvement Program Rape Counseling Center have together developed standard medical procedures for victims of sexual assault.

If you report directly to the hospital, you will be asked to report the incident to the police but you may decide later on if you want to prosecute.

The medical examination has three goals: to treat the full extent of your injuries, to care for your emotional needs and to obtain legally correct evidence.

If after an assault you first go to a hospital, you will be asked to sign a waiver that authorizes a complete medical examination and allows for the release of the records to the police. *This waiver in no way obligates you to prosecute.*

A nurse or doctor will ask you the following medical questions. Some of them may be embarrassing (they will not shock hospital personnel), but they are important for your medical well-being and for evidence if you prosecute.

1. Are you having pain; internal or external bleeding?
2. How old are you? (At Hennepin County Medical Center, if you are 16 years or older, you will decide who shall know about your assault, if anyone).
3. When was your last menstrual period and what is the length of your normal cycle? Any menstrual abnormalities?
4. When was your last pap smear? (If you want, you can have one done with the exam).
5. Are you using any birth control method? What method?
6. Are you taking any drugs or medications? Were you drugged by your attacker?
7. When did you last have sexual relations before the assault?
8. What was the time and date of the sexual assault?
9. Did the attacker force you into several kinds of sexual acts, and if so, what acts? (This may be embarrassing to talk about, but it is very common in a sexual attack).
10. Did ejaculation occur? If so, where on your body is the seminal fluid?

These are the tests which will be performed at the hospital:

1. *Wood's Lamp Examination*
Examination of seminal fluid under the Woods Lamp may occasionally be valuable. Seminal fluid usually fluoresces from pale yellow to violet. It may suggest areas for examination that have been overlooked.



2. *Wet Preparation*

Material from the vagina or other body areas can be examined under the microscope for sperm cells. If any has been deposited within the past six hours they may still be alive and moving. A second slide is made and stained. This slide can often show sperm as long as 24 hours after intercourse.

3. *Pubic Hair Examination*

This test seems to be the one that most surprises people. Hair has about 17 characteristics that can be matched. If pubic hair from the attacker is found on the victim the hair can be important evidence. A comb is used to gather up the attacker's pubic hairs (as well as yours). The comb and hairs are put into a container and the actual testing is done by the Minnesota State Bureau of Criminal Apprehension through coordination with the Police Department. If a suspect is picked up, the pubic hair will be compared to the suspect's.

4. *Sperm Typing*

Under certain circumstances it is possible to determine blood types of the attacker from sperm found in an examination.

5. *Mouth Examination*

If the attacker forced you to have oral sexual contact a mouth examination is necessary to determine the presence of seminal fluid (both sperm and acid phosphatase).

6. *Toxicology Testing*

It is important to tell the physician if you have been drinking or if you have taken other drugs. If you have, blood and perhaps urine tests will be taken to determine your degree of intoxication. This is important evidence if the defense attorney argues that you were so intoxicated that you consented to the act. If you were forced to drink alcohol or take other drugs, the crime committed will be considered more serious.

7. *VDRL — Venereal Disease (Syphilis) Test:*

A blood test for syphilis is important. An immediate VDRL will only detect a pre-existing venereal disease. However, the follow-up in

30 to 45 days will detect syphilis contracted at the time of the assault. Prompt treatment for syphilis is important to prevent permanent physical damage to you.

8. *Urine Test for Pregnancy*

A urine test can be important to establish if you were not pregnant at the time of the assault. If there is a possibility that you could get pregnant from the attacker, you and your doctor will decide whether you should take the "morning after pill", which is (diethylstilbestrol) therapy. If you should take this medication you may later experience a feeling of nausea. If it is severe, call the Gyn Clinic or the emergency room where you were examined. They will advise you. Do not stop taking the medication. It is necessary for you to take the entire supply for it to be effective. (Five days.)

9. *Photos*

Close-up photos will be taken of any injuries. A photo of an injury is strong evidence in court.

10. *Acid Phosphatase*

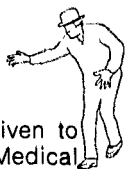
Large quantities of acid phosphatase are found in seminal fluid and it is tested for in the vagina, anus, mouth and on any other part of the body where ejaculation may have occurred. This test definitively establishes that ejaculation has occurred. (This is important in determining the severity of the crime.) Acid phosphatase is detectable for up to 72 hours.

After the hospital examination there are several other checkups necessary to complete the medical exam.

Five days later you should have a test to see if you contracted gonorrhea from the assailant.

30 days later you should have a test to see if you contracted syphilis from the assailant.

If you fail to have a menstrual period within several weeks of the last period before the assault, you should have a pregnancy test. This can be done at many area clinics. Refer to the directory on page 42 for information on such tests and abortion information.



The following is the Information Sheet given to sexual assault victims at Hennepin County Medical Center when they leave.

The exam which you have had here in the Emergency Department was done with two purposes in mind:

- (1) To determine whether you have received injuries which require treatment;
- (2) To do a number of lab tests which will help us decide how to treat you and which will also provide information for the law enforcement officers who are investigating your case. Should you make a decision later on to sign a complaint against your assailant, this information may be used as evidence in court.

The lab tests which will be of prime concern to you and which are done here in the hospital are:

- (1) The blood test for syphilis;
- (2) A test for gonorrhea.

The results of these tests will reveal only venereal disease that existed prior to the assault. The lab requires from one to two days to complete these tests. For that reason we ask you to return in five days to the GYN clinic where the doctor will discuss the results with you. At that time a second examination will be done to make certain that you were not exposed to gonorrhea by your assailant.

If you had a venereal disease at the time of the assault, appropriate treatment will be initiated at the time of your third day follow-up examination. If you received gonorrhea from your assailant, you will be notified a few days after your third day follow-up examination to begin treatment.

It is also important that you return for a thirty day follow-up examination. A second test for syphilis will then be conducted to determine if you received syphilis from your assailant. The incubation period for syphilis is about four weeks and it cannot be discovered prior to that time.

The most important aspect of the venereal disease test at the time of the assault and at the five day and thirty day follow-up examinations is to ensure that you received appropriate treatment as soon as possible. Women especially, often have no symptoms of a venereal disease until the disease has already progressed a good deal.

It is important as evidence in a possible prosecution to determine both — whether you had a venereal disease at the time of the assault, and whether you received a venereal disease from your assailant. If you received a venereal disease from your assailant or if you gave one to your assailant, that evidence will be important corroboration of your testimony identifying your assailant.

The emergency evidentiary examination and both follow-up visits to the GYN clinic are done without charge to you.

Abortion:

Females who have been raped, or sexually assaulted and made pregnant because of the incident can receive pregnancy and abortion counseling from:

Abortion Counseling Services
544 Turnpike Road
Golden Valley, Minnesota 55416
Telephone number: 545-8085

It offers counseling for the undecided, referrals for abortion, and birth control.

Or if you decide you want an abortion:

Midwest Health Center for Women
A non-profit organization
Metropolitan Medical Office Building
825 South 8th Street, Suite 902
Minneapolis, Minnesota
Telephone number: 332-2311
Hours: 9:00 a.m. to 5:00 p.m.

Meadowbrook Women's Clinic
6490 Excelsior Blvd.
St. Louis Park, MN
Telephone number: 925-4640
Abortion Clinic (proprietary)

THE EVIDENTIARY EXAMINATION IS FREE

In Minnesota, the county must pay for evidentiary medical examinations following a sexual assault. This applies whether the examination is performed in a public or private hospital or by a private physician. This exam must be done within 36 hours after the assault.



An emergency hospital is usually best equipped to perform these examinations and provide the laboratory tests that are necessary.

Hennepin County Medical Center (formerly General Hospital) performs the majority of evidentiary examinations in Hennepin County. The trained staff is especially aware of the physical and emotional needs of persons who have been sexually assaulted.

Like the victim of any other violent crime in Minnesota, the sexually assaulted person is eligible to get compensation for medical expenses and lost wages. This is provided for under the Minnesota Crime Victims Reparations Act.

To be eligible for these benefits, a person must report the assault *within five days* and must cooperate fully with the police and must prosecute. The first \$100 of such medical expenses and lost wages are not recoverable, and the maximum benefit is \$10,000. A death benefit of up to \$10,000 is also available to the family of a deceased, sexually assaulted person.

For more information or to file a claim, write:

Crime Victims Reparations Board
504 N. Rice St.
St. Paul, MN 55103
Telephone: 612/296-7080

THE POLICE INVESTIGATION

When you report a sexual assault there is a police investigation. This does not mean you have to prosecute, however.

A police investigation has two major parts. One is conducted by the police themselves and the other by medical personnel.

The police investigation has two main goals: to care for the assaulted person and to obtain legally correct evidence for possible prosecution.

Most police officers who investigate sexual assaults have participated in very intensive crisis sensitivity education programs, (usually in conjunction with the Hennepin County Attorneys Office) and are sympathetic to victims of sexual assault.

Specifically, police must keep in mind several important things about their role — they are both protectors and investigators. Therefore, they must:

Apprehend the suspect, if possible.

Obtain the victim's full trust and cooperation and avoid inflicting further emotional damage.

Deal with the emotions of the victim's family while preventing them from interfering in the investigation.

Quickly obtain and preserve every available bit of evidence.

The officer will have to ask some painful or difficult questions of the victim. Great sensitivity to the victim's emotional state will be kept carefully in mind. It is important that all possible information be obtained from the victim at this point, because the officer then can appear as a supporting witness in any trial later on.

The investigating officers will preserve the evidence at the scene of the crime until pictures can be taken. They will also want to take pictures of the victim before any cleaning up is done. Pictures of any physical injuries will be taken. This is important to show a jury the victim's actual condition right after an assault. As these things are done, the officers will explain them to the victim.

The officers then take the victim to the hospital. They will prevent hospital personnel from questioning the victim about the incident more than is necessary to get medical information.

The officer will also ask hospital personnel to take certain tests if the hospital does not initiate them. If there is blood on clothing or at the scene he will request blood tests.

The officer will not be present during the medical examination itself but prior to it will inform the medical personnel about improper questioning.

The officer then will stay with the victim until safely brought to family or friends, after which all of the victim's clothing will be requested by police as evidence. They will want the clothing before finally leaving the victim in safe hands.

Finally, the detective will meet with the victim as soon as possible to take a full statement on the assault and may ask the victim to identify the assailant in a police lineup or in pictures.



WHY YOU SHOULD PROSECUTE FOR SEXUAL ASSAULT

Would you report a burglary or auto accident in order to get the guilty party? Probably. Most of us would. None of us like crimes and we believe the criminal should be dealt with according to our justice system.

No one is required to prosecute anyone else who has criminally wronged them. But only by being intolerant to crime can we discourage it.

Criminal sexual conduct is a crime, and a serious one. It is traumatic, it happens frequently, and it is one that can touch any of our lives either personally or through people we know.

The new criminal sexual conduct law in Minnesota now makes sex crimes more susceptible to prosecution. But the victim must make the decision to prosecute if assaulted.

An assailant who is not prosecuted will not be stopped from making assaults. The assailant may assault you again, or a member of your family or a friend.

The media in the metropolitan area of Minneapolis and St. Paul have agreed not to use the names or addresses of sexual assault victims in their news accounts unless the victim dies.

Criminal sexual conduct is a crime just like robbery, assault and murder. All are strongly condemned by society but sexual assault has traditionally been a crime to hush up. There are fears that someone will label the victim as immoral — as having "asked for it."

Until sexual assault is brought into the public's awareness as a crime going almost uncontrolled, there will be no effective way of preventing it.

This is a crime that should be openly talked about and reported.

WHAT TO EXPECT IF YOU PROSECUTE

Giving a Statement

A detective from your area will ask you to come to the station to privately give a detailed statement which will be recorded by a stenographer. You will be questioned about all the details of the crime and

you will be asked to read over your statement in order to correct any inaccuracies. Then you will be asked to sign it. You may ask for a copy of this statement.

The police may contact you at another time for any of the following reasons:

1. The police may want to make a more complete examination of the scene of the crime, take photographs and search for more evidence. Your presence will usually be requested to help them.
2. You may be requested to view photographs or lineups to identify your assailant. If you make an identification, an additional statement will be taken from you as to the identity.
3. If a suspect is arrested, you may be asked to give physical evidence such as a sample of your pubic hair, saliva or blood. These samples are used by the State Bureau of Criminal Apprehension Laboratory to identify trace evidence of the same materials found on the suspect's person. They can be used to determine if a particular suspect committed the crime.

Prosecution

When the suspect has been identified and arrested, the prosecutor (usually an assistant county attorney) may wish to speak privately with you at the Hennepin County Attorney's office either before charging the case or after the case has been charged.

The assistant county attorney, who will know about the entire investigation, will tell you about court procedures. You will again be questioned about the details of the incident and your questions will be answered.

You may be asked to sign a complaint against the suspect. A complaint sets out the basic facts of what occurred and how the suspect has been identified as your assailant. The complaint also sets forth the offenses with which the suspect will be charged.

Before signing, you will be taken to a district court judge where you must swear to the truth of the facts in the complaint. You will then sign and the judge will issue a warrant authorizing either the arrest or the continued detention of the suspect.

You will then meet with the prosecutor of the case, who will explain the entire procedure to you.



ailed questions will be asked because the prosecutor will be handling the trial of your case and has complete knowledge of all that happened.

Be sure you have the name and telephone number of the prosecutor who is handling your case. Do not hesitate to call at any time to ask other questions or add details that you forgot in the previous interviews. You may want to ask about progress in your case or to seek assistance for any problems that come up.

Call Victim Witness in the County Attorney's Office for questions you may have regarding your case. 4003.

Omnibus Hearing

You will be subpoenaed to appear before the Hennepin County District Court to give testimony at this hearing, which will usually be held reasonably soon after the suspect is arrested. In some Minnesota counties this hearing may be held before the county attorney, but the procedure is the same.

The purpose of the omnibus hearing is to show whether or not there is sufficient evidence to hold the suspect for trial and to determine whether any of the defendant's constitutional rights were violated.

If your testimony is necessary, you will testify under oath before a district court judge. You will be questioned by the county attorney's office and by the suspect's attorney. Your testimony will be recorded by a court reporter.

It is possible that the attorney prosecuting your case will not be able to handle the omnibus hearing because of other trial commitments but you can be assured that the person handling the hearing is interested in you and your case.

The chance to testify at the omnibus hearing (usually quite short), is a good opportunity for you to become acquainted with courtroom atmosphere and help you be more at ease at the trial.

The suspect's attorney may want his client to waive the omnibus hearing to avoid giving you this opportunity. Sometimes if this is done (or if the judge decides that proper evidence exists without going through the hearing), the suspect will be ordered to stand trial.

Trial Procedures

Once your case is set for trial, the prosecutor handling the case will usually request one or more conferences with you. Some of the conferences will

be handled by telephone but you should expect to have at least one personal meeting with the prosecutor shortly before the trial.

When the matter is set for trial you will receive a subpoena to appear before the district court, which handles felony offenses. You ordinarily will not be needed to testify at the start of the trial. You will be asked to keep in touch with the prosecutor until your testimony is needed.

Your subpoena will state the time and date for the beginning of the trial which ordinarily begins with jury selection. Depending upon the circumstances in your case, the jury selection may take anywhere from a few hours to several days. After the jury has been selected the trial begins. Your testimony is the most significant evidence in the case.

Plea Negotiations

It is possible that the suspect in your case may wish to plead guilty to a lesser offense than the crime charged. He may ask to plead guilty if the prosecutor can recommend a shorter prison term than he otherwise would be given.

In some cases he may ask that he be put on probation with or without treatment. Plea negotiating like this is frequently considered in sexual assault cases. This is particularly so in cases where the prosecutor knows that a conviction may be difficult or that the jury may be likely to find the defendant guilty of a lesser offense. Sometimes it is done to avoid the emotional trauma of a trial for you.

You will be contacted by the prosecutor before any plea bargain is decided on. Remember that a conviction of some kind, even a probation, gives the court a great deal of control over the suspect. If found not guilty, this control is lost.

Trial

If a trial becomes necessary, the prosecutor will review all the details of your case. You will be prepared for meeting possible difficulties in the case such as questions about your personal life. Generally, evidence of your prior sexual conduct is not admissible at the trial due to Minnesota's new criminal sexual conduct law, but there are a few limited exceptions:

1. Evidence of any prior relationships with the defendant (sexual or otherwise) is admissible at trial.



2. Evidence of the origin of seminal fluid, venereal disease or pregnancy that was detected at the hospital examination is admissible. Or, evidence of venereal disease or pregnancy occurring in the period between the sexual assault and the trial is admissible. These two exceptions exist because the jury might be misled to believe that only the defendant is responsible for venereal disease, etc., when in fact your spouse or lover might be.
3. In the rare instance that the defendant admits performing the act but claims that you consented, or if the defendant claims you made up the story, he may bring in evidence from the prior 12 months that shows you engaged in specific sexual acts similar to what the defendant has been charged with. However, a hearing must be held before the trial in order to decide whether this evidence is admissible.

In that case, the prosecutor will discuss the defense attorney's motion with you in detail and will probably ask you to testify at the hearing. You will be subject to both direct and cross-examination just as you were at the omnibus hearing. If the court should find the evidence the defense seeks to introduce is relevant, the court may decide the evidence is admissible at the trial.

At the trial your testimony will be given in the same way it was given at the omnibus hearing, except that you can expect to be questioned at greater length. Remember that the jury must decide the case, so be certain that you speak clearly and answer every question fully and honestly. The jury of course has to believe you before they can be convinced beyond a reasonable doubt that the suspect is guilty.

Telling the Whole Truth

Tell the absolute and complete truth to the police, the prosecutor and in your testimony at trial. Do not be concerned whether something sounds good or bad. Just tell the truth.

During your testimony answer each question asked, but do not go beyond the question asked, or you may be misunderstood or misinterpreted.

If you do not understand a question during your testimony, ask to have it repeated or rephrased. Be

certain that you understand what you are being asked before you try to answer it.

If an objection is made to any question that you are asked, wait until the Judge rules on the objection before you answer the question.

A "Not Guilty" Verdict

Remember, if the suspect is found "not guilty" it does not mean the jury has found him "innocent." A "not guilty" verdict means only that the suspect's guilt was not proved beyond a reasonable doubt to *all twelve* jurors. You should never consider it to be a reflection on your character or integrity.

If the suspect is permitted to plead guilty to a lesser or a different charge, or if he receives probation through a negotiated plea, do not be disturbed. You could be saved the great emotional strain of a trial.

The prosecutor will be glad to explain the negotiation to you or answer any questions about the court proceedings or about the procedures of the Minnesota Corrections Authority (parole board), the Commissioner of Public Welfare (commitments to mental institutions), or the Hennepin County District Court and Department of Court Services (probation).

The convicted offender may receive treatment for anti-social sexual behavior in an effort to rehabilitate him/her in prison, in a hospital, or as a condition of probation.

If the defendant is acquitted following a trial, he/she will remember that prosecution. That ordeal most likely will have a deterrent effect on the defendant's future behavior. In any case, you can be satisfied that you have done all you can to protect others from the kind of assault you suffered.

MINNESOTA'S CRIMINAL SEXUAL CONDUCT LAW

The 1975 Minnesota Legislature took a significant step when it enacted a new and far-reaching sex offense law.

The changes are great: the law provides that sex offenders and victims, male or female, be treated equally, and it provides a rational scheme for determining the degrees of severity in sex crimes. This law makes Minnesota's sex offense law one of the best in the nation.



ITIONS

R — person accused of criminal sexual conduct.

PLAINANT — person alleging to have been subjected to criminal sexual conduct.

E — when an actor convincingly threatens to commit or commits a crime against someone.

SENT — a voluntary and unmistakable agreement to perform a particular sex act, which must be at the time of the act.

ATE PARTS — the primary genital areas, groin, inner thighs, buttocks or breast of any person.

ALLY DEFECTIVE — a person suffering from a permanent or temporary mental defect that makes that person incapable of understanding his/her conduct.

ALLY INCAPACITATED — a person who is made temporarily unable to understand or control his/her behavior because of being given liquor, drugs or other substances without consent; or incapacitated due to some act upon them.

ONAL INJURY — bodily harm, severe mental anguish or pregnancy.

ICALLY HELPLESS — a person physically unable to communicate that he/she does not consent to an act, with this condition known to the actor.

ION OF AUTHORITY — a parent or guardian or a person who, even for a brief period, is responsible for the health, welfare or supervision of a child.

AL CONTACT — includes the following acts committed without the complainant's consent except where consent makes no difference, such as with a child), if the acts were for the actor's sexual or aggressive satisfaction:

—intentional touching by the actor of complainant's intimate parts;

—forcing complainant to touch another's intimate parts;

—forcing another to touch complainant's intimate parts;

d—in any of the above instances, the touching of the clothing covering the immediate area of the intimate parts.

SEXUAL PENETRATION — sexual intercourse, cunnilingus, fellatio, anal intercourse or any intrusion no matter how slight into the genital or anal openings of complainant's body by any part of the actor's body or any object used by the actor, if done without complainant's consent (except where consent makes no difference). An emission of semen is not necessary.

2. DEGREES OF CRIMINAL SEXUAL CONDUCT

The new law also defines four degrees of "criminal sexual conduct."

"First degree criminal sexual conduct" is punishable by up to 20 years imprisonment and occurs when the actor sexually *penetrates* another person and one of the following circumstances exist:

- a - complainant is under 13 years old and the actor is more than three years older; (mistake of the complainant's age and complainant's consent are not defenses by the actor).
- b - complainant is 13 to 16 years old and the actor is four years older and is in a position of authority over complainant, and uses such authority to force the complainant to submit; (mistake of age and consent are not defenses).
- c - circumstances at the time of the act cause the complainant to reasonably fear that great bodily harm will result to him/her if he/she does not submit;
- d - actor has a dangerous weapon and threatens complainant with it in order to get complainant to submit;
- e - the actor personally injures complainant and forces sexual penetration or the actor knows the complainant is mentally defective, mentally incapacitated or physically helpless;
- f - the actor is aided by others who use force or a dangerous weapon to get complainant to submit.



second degree criminal sexual conduct" is punishable by up to 15 years in prison and occurs:

if the actor has sexual contact (first degree requires penetration) with another AND one of the above (a-f) circumstances of first degree exist.

third degree criminal sexual conduct" requires penetration and is punishable by 10 years imprisonment if one of the following circumstances

complainant is under 13 years old and the actor no more than three years older; (in first and second degrees, actor must be more than three years older).

complainant is aged 13 to 16 and actor is more than two years older and not in a position of authority; if however, the actor is no more than four years older and shows he/she believed complainant was over 16, actor can only be imprisoned up to five years.

the actor uses force to penetrate without inflicting personal injury, as in first degree.

the actor knows complainant is mentally defective, mentally incapacitated or physically helpless. (Consent is no defense here).

fourth degree criminal sexual conduct" does not require sexual penetration (unlike first and third degrees) and is punishable by up to five years imprisonment if the actor sexually contacts another and the following exist:

the complainant is less than 13 years old and the actor is at least three years older. (Consent is not a defense here);

complainant is 13 to 16 years old and actor is more than four years older or is in a position of authority, which is used to coerce submission;

the actor forces the contact without inflicting personal injury (as in second degree);

the actor knows the complainant is mentally defective or incapacitated or physically helpless. (Consent is no defense here.)

In Minnesota the law states that a child under 14 years of age is incapable of committing a crime and cannot be prosecuted in juvenile court. A finding of delinquency in juvenile court is not a criminal

If the act committed by a child between 14 and 18 is particularly severe and/or the Juvenile Correction Facilities are inadequate for rehabilitating the child, the child can be certified by the juvenile court to stand trial as an adult. A person who is 18 years of age or older is an adult under Minnesota law.

3. Subsequent Offenses

The new law also provides a minimum three-year sentence for a second offense within a fifteen-year period following the first offense, unless the defendant successfully completes a sexual behavior treatment program.

4. Evidence

The new law makes sweeping changes in the evidence requirements in a rape prosecution.

The law specifically states that the victim's testimony need not be corroborated.


The victim is also not required to have resisted the actor.

A major change in evidence no longer permits the victim's previous sexual conduct to be used in court. Women, in particular, will no longer be subject to the familiar defense tactic of dragging up past sexual behavior.

The very specific exceptions to this general rule are:

- a - when the victim has willingly engaged in very similar sexual behavior under similar circumstances in the prior calendar year and so the actor-defendant claims the victim consented to the act, or else fabricated the story;
- b - when evidence is shown that semen, VD or a state of pregnancy was present at the time of the assault, or evidence that shows VD or pregnancy occurred between the crime and the trial;
- c - evidence of past sexual conduct between the complainant and the defendant;
- d - evidence to show the complainant has not told the truth at the trial;
- e - evidence that the complainant has previously made wholly unsubstantiated claims of sexual conduct.

Introduction of the above exceptions must be in accordance with a set procedure that requires court



review and permission before any such evidence can be presented at the trial.

5. Court's Instructions

The court can NO longer instruct juries that:

- a. A complainant who has consented to prior sexual intercourse with other persons would be likely to consent with defendant and that this prior sexual conduct in and of itself may be used in determining complainant's credibility;
- b. Criminal sexual conduct is easily charged but difficult to prove;
- c. The complainant's testimony should be scrutinized more closely than that of any other witness in any other felony.

6. Scope of Criminal Sexual Conduct Law

The law does not cover adults living together and maintaining an ongoing voluntary sexual relationship. Married person also are not covered under the law unless living apart with one having filed for separate maintenance or dissolution of the marriage.

7. Cost of Medical Evidentiary Exam

The law also provides that the county where the crime has been committed shall pay the expense for the medical examination conducted to gather evidence for possible prosecution.

8. Age of Consent

The law also reduces the age of consent from 18 to 16.

9. Resulting Death Defined as Murder

Finally, the new law makes death caused while committing first or second degree criminal sexual conduct subject to a first degree murder charge. (Formerly this was only the case where rape and sodomy were involved).

FAMILY ABUSE, FAMILY SEXUAL ASSAULTS AND OTHER TYPES

Child Abuse:

According to Minnesota law, professionals in the medical sciences, social services, hospital ad-

ministration, psychological/psychiatric treatment, child care, education or law enforcement who have knowledge or cause to believe a child under sixteen years of age is being sexually or physically abused are required to report such knowledge to the police or to the county welfare agency. Any other person may report such information.

Eight hundred and ninety-five children were reported to the Hennepin County Welfare Department's Child Protection Services from July 1, 1973, to December 31, 1974, as allegedly physically abused. These children range in age from seven days to 17 years. The children and their families got help and rehabilitation, but the unfortunate fact about that statistic is that for every case uncovered, there could be 100 more.

Anyone who suspects abuse, physical or sexual, should immediately call the Child Protective Services program at 348-3552.

Incest and sexual abuse of children is often hidden as a carefully-guarded family secret. For a child who has or is experiencing sexual abuse by a family member, relative or friend, it is difficult, if not nearly impossible, to report or tell of the incident. Often the abused child thinks this has only happened to him or her and that another person would not understand the problem. In fact, many people do not understand the child's problem, but the child is by no means alone. Children need support from all investigating people.

Children react to incest and sexual assault by family members in various ways. Some children will tell of the incidents. Some children may briefly discuss it with a sibling. Many children will try to force the experience out of their consciousness, in an effort to forget what happened because they are unable to understand or cope with the problem.

Children know that telling someone outside the family will cause family problems, so they generally keep sexual abuse a secret.

Incest: Family Sexual Abuse

Both males and females can be the victims of family sexual abuse or incest, which is committed by both male and female family members. These sexually abusive relationships can be either heterosexual or homosexual, but they are most frequently engaged in by adult males and female children. The male is usually the child's father, stepfather, or uncle.



Aftermath:

According to one study, fathers confronted with detection frequently deny the incest, or if they admit it, attempt to minimize their guilt. They often express surprise that incest is punishable by law and frequently insist that they have done nothing wrong. Some fathers believe sexual access to be one of their parental rights. When such individuals are punished in the depersonalized manner of institutions, the low self-concept is reinforced. They are primed for behavior that is destructive to others and to themselves.

After treatment and/or incarceration of the fathers, some wives refuse to believe that incest occurred.

Frequently, the cost of the mother's admitting that incest occurred is seen as too high: the dissolution of the family.

Very often the fathers return to the home, and the ingredients which make up a condition for incestuous relationships remain and are either resumed by the eldest daughter, or if she is removed from the home, voluntarily or otherwise, the role is then passed to the next eldest daughter. Usually, neither the child nor the mother desires to prosecute the father.

Incest usually takes place over a long period of time, from six months to several years. It may take many years of intensive professional counseling to deal with some of the victim's feelings as a result of this experience. These feelings cannot be dealt with all at once.

Caution: If you become aware of sexual abuse or an incestuous relationship, it is natural for you to want to help the victim get out of this situation. Do not burden her with your feelings; handle the situation judiciously. There are many ways of resolving this type of situation.

If an incestuous or sexually abusive relationship occurs in your family, seek help at once. Do this not only for the participants but also for every member of your family. Many families can change from counseling.

For counseling and assistance, call:

Child Protective Services
Hennepin County Welfare Department,
16-A Government Center
Minneapolis, Minnesota 55487
Telephone Number: 348-3552

Family and Children's Services Division
Hennepin County Welfare Department
16-A Government Center
Minneapolis, Minnesota 55487
Telephone Number: 348-3361

Sexual Assault Services
Office of the County Attorney
2000 Hennepin County Government Center
Minneapolis, Minnesota 55487
Telephone Number: 348-5397 or 348-5545

MINNESOTA'S MALTREATMENT OF MINORS REPORTING LAW

The 1978 Minnesota State Legislature changed a "Maltreatment of Minors Reporting Law" for the protection of children whose health or welfare may be jeopardized through physical or sexual abuse, or through neglect. Its purpose is also to strengthen the family, to provide safe homes for abused children, and to establish a policy for the reporting of abuses.

Definitions

The new statute clarifies some words and phrases:

(1) Sexual abuse — is when a child's parents, guardian or person responsible for the child's care subjects a child under 16 years of age to the acts of rape, sodomy, indecent liberties or any other violations of the four degrees of criminal sexual conduct as set forth in the new Minnesota Criminal Sexual Conduct Law (1975). (See page 26 of this booklet.)

(2) Neglected child — is a child under 18 years of age who is: (a) abandoned; (b) without proper care because of the faults or habits of parents; (c) without necessary care for physical or mental health or morals because parents refuse to provide it; (d) a child whose parents' behavior, condition, environment or associations are such as to be dangerous or injurious to the child or others, or in violation of the law; (e) living in a foster care facility not licensed in accordance with the law unless so living by court order; (f) legally "delinquent" but whose delinquency is due in whole or in part to parental neglect, or, (g) a child whose parents have done things detrimental to the child's welfare or in violation of the law. (However, good faith spiritual reliance or prayer by parents for child's benefit and care shall not be considered neglect.)



(3) Physical abuse — is any physical injury to a child by a parent other than by accident or any physical injury to a child that cannot be reasonably explained by the injury history provided by the parents.

Reporting

The law provides that certain professionals **MUST** report physical or sexual abuse they know about or have reasonable cause to believe is occurring. All professionals and their employees engaged in the healing act, social services, hospital administration, psychological or psychiatric treatment, child care, education or law enforcement must comply with this reporting provision. Failure for these professionals to comply with the law is a misdemeanor punishable by not more than 90 days in jail, or payment of a fine of not more than \$300, or both.

Any person, even though not engaged in any of the above-mentioned professions, should report child abuse if they have knowledge of abuse or reason to believe it is occurring.

Any persons reporting under this law shall be immune from any liability *if they exercised due care and acted in good faith*. False reports are given no such immunity and will be subject to both civil and criminal liability.

Reporting in all instances should be to the police department or to the local welfare agency.

Any reports should be made immediately by telephone or other verbal contact. Persons who are required by law to report must follow with a written report as soon as possible.

Reports should identify the child, the parent, the nature and extent of the child's injuries, and the reporter's name and address.

Evidence

Evidence regarding injury to a child is not protected by the doctor-patient privilege or by the husband-wife privilege.

Duties of Local Welfare Agency

The local welfare agency shall immediately investigate any reports, make a report to the police for possible investigation and shall offer protective and preventive services, and seek to remove the child from the parent when justified.

Records

All records of child abuse shall be confidential except that the individual who is the subject of a record shall have access.

However, the reporter's name shall be disclosed by the local welfare agency only (1) if the report is found unsubstantiated or (2) by court order if the report is substantiated.

Unsubstantiated records shall be destroyed immediately; substantiated shall be destroyed seven years after the record's final entry. Records not substantiated upon initial investigation shall be destroyed after one year if substantiation is not obtained in that period.

CHILD MOLESTATION:

Child molestation should be reported to your local Police Department. The child should be taken to Children's Health Center, 2525 Chicago Avenue South, Mpls., Hennepin County Medical Center, or one of the hospitals listed in the directory of this booklet. This should be done to obtain an evidentiary medical examination immediately after the incident and for medical treatment, if necessary. The medical exam could be a very important part of evidence if the case is prosecuted.

In many cases where a child has been a victim of a molestation, the child is embarrassed, afraid and often will not tell anyone it happened. It is important that police, hospital personnel and parents be sensitive and supportive to a child who has been molested. The child's information should be treated confidentially *and the child should be told this.*

Be calm, and don't say or imply that the child is "bad," "ruined" or "dirtied." Molestation can have long-term effects on a child if not handled properly.

The investigation itself can become an incident where the child becomes very embarrassed, especially if it is handled improperly.

Openness from the parents, yet confidentiality to others concerning the matter is very important.

Many families have a hard time working out the anxieties which often occur when a child is molested. Many families do not talk about sexual matters, and when a child is involved in sexual assault or abuse, the family is forced to talk about such matters.



Parents often say "I don't know what to say, or how much to say, or what words to use." Other concerns are "Do I tell the other children and how much should I tell them?" If the offender is a family friend or relative the problem is often compounded.

The County Attorney's Sexual Services Project is available to discuss any such questions or to refer you to a supportive professional. Also the Service can let people know what the procedures are if they report such an incident. Call 348-5397. The service is located in the Hennepin County Attorney's Office.

Call 348-5397, Hennepin County Attorney's Sexual Assault Services, for help or information.

BATTERED WOMEN:

To report a battering incident is often embarrassing and humiliating. Women who experience battering or beating can be from middle, low or high-income classes, educated or not, married or single, with or without children.

Most women who are beaten don't realize that this happens to many others.

To be in a relationship where you are beaten can be emotionally very confusing. You may be angry with the person who beats you and yet feel love for this person and not want him to get in trouble.

For women who are married, have children and don't work outside the home, it is doubly frightening when they are beaten. This is because their options to get out of the situation are limited and they often believe it is impossible to change the situation. If you are beaten, it is best to get help as soon as possible. Don't wait until the next time. In most cases the beatings become more frequent, and physical and mental damage only increases.

To exist in a relationship where you are beaten or you do the beating is destructive and possibly fatal for any member in that relationship, including children.

There are several options for women in a battering situation. (And more options are currently being explored and developed by concerned people.)

Counseling can be the first step in changing a battering situation. At times husbands or boyfriends may refuse to go to a counselor. In that situation, you may have to call the police and take legal action. Do not be hesitant about seeking supportive counseling for yourself.

The Rape Counseling Center, 2617 Hennepin Avenue South, Minneapolis, Minnesota, (Telephone: 374-HELP, 24-hour hotline), or the Hennepin County Attorney's Office Sexual Assault Services (Telephone: 348-5397) will assist you with emergency information, legal advice, counseling, information, and information on emergency shelter for you and your children.

If you have been battered and have pain, injuries, or bruises, go to the *Hennepin County Medical Center Emergency Room, 8th Street and Park Avenue, Downtown Minneapolis (Telephone: 347-3131).*

If you want to bring legal charges against the person who beat you up:

(1) Tell a police officer you want to press charges.

(2) See a doctor as soon as possible. If you are pressing charges, photos should be taken while the injuries are most visible.

(3) Contact the Family Violence Division of the police department in the city where the assault occurred to discuss filing a complaint. *The Minneapolis Police Department's Family Violence Division 348-4902.*

(4) You may make a citizens' arrest by telling the police officer you are arresting the person for assault immediately after it happens. The assailant must be present, and you must also tell that person.

REMEMBER: A person who physically abuses another is reflecting some type of emotional or physical problem that should be cared for **IMMEDIATELY.**

The physically abusive person is deeply troubled and everyone who lives or associates closely with such a person will also develop emotional problems.

Do not be embarrassed about seeking help for this problem. It is common, and it is never a disgrace to seek help. The abusive person and the victims of that abuse can all be helped, but you must first be willing to seek that help.



HOMOSEXUAL OR SAME SEX ASSAULT

Sexual assault against a person of the offender's own sex is not uncommon. These same sex assaults occur against both children and adults. They happen under all types of circumstances, including prison settings, social circumstances, activities such as hitchhiking, as well as on the street or in the victim's own home.

A homosexual has a right to choose his or her sexual partner and sexual practices; however, many people often believe that if a person is a homosexual, that person is willing to engage in sexual activity with any person of the same sex.

Sometimes homosexuals are brutally beaten and/or sexually assaulted by heterosexuals who believe that homosexuals are open targets for their hostilities.

Minnesota law governing criminal sexual conduct now applies to all sexual assaults, regardless of the sex of either the victim or the assailant. Former Minnesota law provided that only a female could be the victim of rape or of sexual intercourse with a child. The only criminal sexual assaults that could be committed against a male under the former law were those of sodomy (carnally knowing another by or with the mouth or by the anus) and indecent liberties.

A female was immune from prosecution for rape or sexual intercourse with a male child because those laws only applied to a female victim of sexual intercourse. The only sexual assaults for which a female could be prosecuted were indecent liberties or sodomy, regardless of the victim's sex.

REPORT same-sex assault and prosecute the assailant. Such assaults are criminal. Do not be embarrassed or humiliated about reporting a same-sex assault. It is not a disgrace. It is a crime.

THE ROLE OF ALCOHOL AND DRUGS IN SEXUAL ASSAULT AND ABUSE

Chemical dependency (alcoholism and/or drug dependency) is an illness and it involves men and women equally. The disease affects a person mentally, emotionally and physically. It harms the people close to the chemically dependent person, too.

A chemically dependent person is often the last person to recognize his or her illness and you could wait a lifetime for a chemically dependent person to seek treatment voluntarily.

Alcohol and mood-altering drugs decrease our natural emotional control. Alcohol, for example, can result in very pleasant feelings when used in moderation, but it can be very unpleasant to be around an intoxicated person.

A sexual assault occurs whenever one person forces any sexual activity upon another person who does not willingly desire that sexual activity. Chemicals are frequently an element of a sexual assault. If you have been a victim of sexual assault and chemicals had been used by you or the defendant at the time of the assault, it is important to call the police or rape center and follow the procedures set forth in this booklet.

DIRECTORY OF COMMUNITY SERVICES, POLICE AND HELPING AGENCIES

This Directory does not intend to be an exhaustive list of resources available to you in Hennepin County. Your church, church agencies, neighborhood organizations, and other non-profit organizations and agencies may be able to provide you with whatever services you need.

- Hennepin County Attorney's Office
2000 Hennepin County Government Center
Minneapolis, Minnesota 55487
Telephone Number: 348-5397 (Sexual Assault Services) or 348-5545

Speakers Available
Legal information for sexual assault persons

- Minneapolis Police Department
Family Violence Division
Court House, City Hall
Minneapolis, Minnesota
Telephone Number: 348-4902
Detective will take your statement

- Hennepin County Sheriff's Office
Court House, City Hall
Minneapolis, Minnesota
Telephone Number: 348-3771



Sexually Assaulted while hitch-hiking on unsure of your location

Hennepin County Medical Center

● Emergency Department

8th Street and Park Avenue
Minneapolis, Minnesota 55415
Telephone Number: 347-3131

Sexual Assault, Evidentiary Medical Exam
Free and Confidential

● Fairview-Southdale Hospital — Emergency

6401 France Avenue South
Edina, Minnesota
Telephone Number: 920-4400, ext. 441

Sexual Assault Evidentiary Medical Exam
Free and Confidential

● Methodist Hospital — Emergency

6500 Excelsior Blvd.
St. Louis Park, Minnesota
Telephone Number: 932-5000

Sexual Assault Evidentiary Exam
Free and Confidential

● North Memorial Medical Center

3220 Lowry Avenue North
Minneapolis, Minnesota
Telephone Number: 588-0616, ext. 224

Sexual Assault Evidentiary Exam
Free and Confidential

● University Hospital

412 Union Street South East
University of Minnesota
Telephone Number: 373-8000

Sexual Assault Evidentiary Exam
Free and Confidential

● N.I.P. Rape, Sexual Assault and Abuse Center

2617 Hennepin Avenue, South
Minneapolis, Minnesota 55408
Telephone Number: 374-HELP (24-hour hotline)

Counseling for sexual assault victims
Support groups for victims of sexual assault

Outreach counselors; someone will come to be with you at the Police Department, Hospital, and/or the County Attorney's Office
Speaker Available

● Minneapolis City Attorney's Office

1700-A Government Center
Minneapolis, Minnesota 55487
Telephone Number: 348-2010

Women who have been battered or beaten

● Child Protective Services

Hennepin County Welfare Department
16-A Government Center
Minneapolis, Minnesota 55487
Telephone Number: 348-3552

Child abuse; child sexual abuse

● Planned Parenthood of Minnesota

230 Walker Building
803 Hennepin Avenue, South
Minneapolis, Minnesota
Telephone Number: 336-8931

Family Planning
Education and medical services
Information and counseling concerning problem pregnancies
Free pregnancy tests
Out patient abortion

● Birthright, Inc.

512 Nicollet Mall
Room 633
Minneapolis, MN 55402
Telephone Number: 338-2353

Free pregnancy testing, counseling and referral, friendship and continued support.
24 hour answering service.

● Midwest Health Center for Women

a non-profit organization
Metropolitan Medical Office Building
825 South 8th Street
Suite 902
Minneapolis, Minnesota
Telephone Number: 332-2311

Abortion, free pregnancy test
Advocacy and counseling



- Meadowbrook Women's Clinic
6490 Excelsior Boulevard
St. Louis Park, Minnesota
Telephone Number: 925-4640
Abortion clinic (proprietary)
- Red Door
V.D. Clinic
501 Park Avenue
Minneapolis, Minnesota
Telephone Number: 347-3300
M-F, 10 a.m. to 6 p.m.
No appointment necessary
Payment by donation only — confidential
- Teenage Medical Service
2425 Chicago Avenue South
Minneapolis, Minnesota 55404
Telephone Number: 874-6125
Medical follow-up for sexual assault
- Program In Human Sexuality
University of Minnesota
2630 University Avenue Southeast
Minneapolis, Minnesota 55414
Telephone Number: 376-7520
Individual and group counseling and education for sexual matters
- Walk-In-Counseling
2421 Chicago Avenue South
Minneapolis, Minnesota 55404
Telephone Number: 870-0566
Battered or beaten women
- Gay Community Services, Social Services
2855 Park Avenue
Minneapolis, Minnesota 55407
Telephone Number: 827-2821
Same sex assault
- Christopher Street
2344 Nicollet Avenue South
Minneapolis, Minnesota
Telephone Number: 874-7877
Incest victim

Same Sex counseling, same sex legal or medical advocacy for sexual assault.

● Family and Children's Services

414 South Eighth Street
Minneapolis, Minnesota 55404
Telephone Number: 340-7444

Group counseling, marriage and relationship counseling
Total family counseling, parent-child counseling
Individual personality adjustment counseling

Hennepin County Welfare Department

● Adult Services

14-A Government Center
Minneapolis, Minnesota 55487
Telephone Number: 348-8526

All information needs and referrals within Hennepin County Welfare Department

Referrals for Assertiveness
Training or Karate:

N.I.P. Rape Sexual Assault & Abuse Center
Telephone Number: 374-HELP

Hennepin County Attorney's Office
Telephone Number: 348-5397 (Sexual Assault Services) or 348-5545

Hennepin County Police Department:

Minneapolis Police Department
Court House, City Hall
Family Violence Division
Minneapolis, Minnesota
Telephone Number: 348-4902

Hennepin County Sheriff's Office
Court House, City Hall
Minneapolis, Minnesota
Telephone Number: 348-3771

● Books to refer to:

When I Say No, I Feel Guilty
Manuel J. Smith, Ph.D.
The Dial Press, 1975

Against Rape
Andra Medea and Kathleen Thompson
Farrar, Straus, and Giroux, New York, 1974

Your Perfect Right
Alberti, R.E., and Emmons, M.L.

● Suburban Police Departments

Airport Police Department

Mpls.-St. Paul International Airport
St. Paul, Minnesota 55111

Telephone Number: 726-1177

Bloomington Police Department

2215 West Old Shakopee Road

Bloomington, Minnesota

Telephone Number: 884-3591

Brooklyn Center Police Department

6301 Shingle Creek Parkway

Brooklyn Center, Minnesota

Telephone Number: 561-5440

Brooklyn Park Police Department

5700 North 85th Avenue

Brooklyn Park, Minnesota

Telephone Number: 425-4513

Champlin Police Department

512 Highway 52

Champlin, Minnesota

Telephone Number: 421-6400

Crystal Police Department

4141 Douglas Drive

Crystal, Minnesota

Telephone Number: 537-4571

Deephaven Police Department

20225 Cottagewood Road

Excelsior, Minnesota

Telephone Number: 544-9511

Eden Prairie Police Department

8950 Eden Prairie Road

Eden Prairie, Minnesota

Telephone Numbers:

emergency dispatcher: 544-9511

office: 944-2700

Edina Police Department

4801 West 50th Street

Edina, Minnesota

Telephone Number: 925-2242

Golden Valley Police Department

7800 Golden Valley Road

Golden Valley, Minnesota

Telephone Number: 545-3781

Hopkins Police Department

1010 First Street South

Hopkins, Minnesota

Telephone Number: 935-3321

Maple Grove Police Department

14310 93rd Avenue North

Osseo, Minnesota

Telephone Number: 425-4525

Medicine Lake Police Department

232 Peninsula Road

Minneapolis, Minnesota

Telephone Number: 374-6232

Medina Police Department

2812 Willow Drive

Hamel, Minnesota

Telephone Number: 473-4643

Minnetonka Police Department

13231 Minnetonka Boulevard

Minnetonka, Minnesota

Telephone Number: 933-2511

Minnetonka Beach Police Department

Minnetonka Beach, Minnesota

Telephone Number: 544-9511

Mound Police Department

5541 Shoreline Boulevard

Mound, Minnesota

Telephone Number: 472-3711

New Hope Police Department

4401 Xylon Avenue North

New Hope, Minnesota

Telephone Number: 533-1521

Orono Police Department

P.O. Box 66

Crystal Bay, Minnesota

Telephone Number: 473-7357

Osseo Police Department

3 Central Avenue Southwest

Osseo, Minnesota

Telephone Number: 544-9511

Plymouth Police Department

13800 Highway #55

Plymouth, Minnesota

Telephone Number: 559-2800

Richfield Police Department

6700 Portland Avenue South

Richfield, Minnesota

Telephone Number: 866-5061

Robbinsdale Police Department

4145 Hubbard Avenue North

Robbinsdale, Minnesota

Telephone Number: 537-4534

Rogers Police Department

Rogers, Minnesota

Telephone Number: 544-9511

St. Anthony Police Department

2900 Kenzie Terrace

St. Anthony, Minnesota

Telephone Number: 789-8881

St. Louis Park Police Department

5005 Minnetonka Boulevard

St. Louis Park, Minnesota

Telephone Number: 920-3000

South Minnetonka Public Safety

339 Third Street

Excelsior, Minnesota

Telephone Number: 474-3261

Wayzata Police Department

600 Rice Street

Wayzata, Minnesota

Telephone Number: 473-0234

University of Minnesota Police

2030 University Avenue, Southeast

Minneapolis, Minnesota

Telephone Number: 373-3550

● St. Paul Resources:

St. Paul Police Department

101 East Tenth Street

St. Paul, Minnesota

Telephone Number: 291-1234

St. Paul Ramsey Hospital

Sex Offense Services

640 Jackson Street

St. Paul, Minnesota

Telephone Number: 222-4260

Emergency Social Services

Telephone Number: 225-1515

(Telephone service run by the
Red Cross)

Ramsey County Sheriff's Office

340 North Rice Street

St. Paul, Minnesota

Telephone Number: 484-3366

Planned Parenthood of Minnesota

Hamm Building

408 St. Peter Street

St. Paul, Minnesota

Telephone Number: 224-1361

Family Planning

Educational and Medical Services

● **Birthright, Inc.**

363 St. Peter Street
Room 227
St. Paul, MN
Telephone Number: 291-1314

Free pregnancy testing, counseling and
referral, friendship and continued support.
24 hour answering service.

ACKNOWLEDGMENTS

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2617 Hennepin Avenue, South
Minneapolis, Minnesota

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Nursing Supervisor, Emergency Department
Hennepin County Medical Center

Garry F. Peterson, M.D.
Forensic Pathologist
Deputy Hennepin County Medical Examiner
Hennepin County Medical Center
Pathologist, St. Paul Ramsey Hospital
St. Paul, Minnesota

Lieutenant Richard Hansey
Minneapolis Police Department

Robert Flint, Ph.D.
Clinical Psychologist
Student Counseling Bureau
University of Minnesota

Walk-In-Counseling
2421 Chicago Avenue, South
Minneapolis, Minnesota

Representative Linda Berglin
Minnesota House of Representatives
217 State Office Building
St. Paul, Minnesota

Dr. Ernest Ruiz
Chief Physician, Emergency Department
Hennepin County Medical Center

Dr. Richard Raile
Medical Director
Chief of Pediatrics
Hennepin County Medical Center

Dr. Donald Freeman
Chief OB/GYN
Hennepin County Medical Center

State of Minnesota Task Force on Sexual Assault
Suite #430, Metro Square
Department of Corrections
St. Paul, Minnesota

Child Sexual Abuse Program
Santa Clara County
Juvenile Probation Department
San Jose, California

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Cartoon Art by Alan Kraning
Box 93
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● HENNEPIN COUNTY GOVERNMENT

Board of County Commissioners
2400 A Hennepin County Government Center
Minneapolis, Minnesota 55487

District No. 1
Commissioner Jeff Spartz

District No. 2
Commissioner Thomas E. Ticen

District No. 3
Commissioner Dick Kremer

District No. 4
Commissioner John E. Derus

District No. 5
Commissioner E.F. (Bud) Robb, Jr.

District No. 6
Commissioner Sam Sivanich

District No. 7
Commissioner Nancy Olkon

Hennepin County Attorney
Gary W. Flakne
2000 Government Center
Minneapolis, Minnesota 55487

Hennepin County Sheriff
Donald Omodt
Room 6, Courthouse
Minneapolis, Minnesota 55415

Hennepin County provides equal access to employment opportunities, programs and services without regard to race, color, religion, age, sex, disability, marital status, sexual or affectional preference, public assistance status, ex-offender status, or national origin.

END