

## Judicial System

For many, this may be the first involvement with law enforcement or the judicial system. It's very common for people to expect what they have seen on television or movies to apply to their current circumstances. Unfortunately, these expectations are often unrealistic or a distorted snapshot of how things truly operate.

Texas has laws and regulations in place aimed at protecting victims. For cases involving prosecution, court advocates can provide you with information, education, and support that will help reduce fears and uncertainties.

Criminal case resolution by plea agreement is a practice that is often utilized. Through both negotiation and agreement, this approach to resolution can prevent the need for testifying in court.

Education and information regarding how the judicial system operates can assist victims and their family in the reduction of trauma.

## Benefits of Counseling

Some of the benefits of seeking counseling are:

- Reviewing the incident and processing the event can help you clarify what actually occurred.
- Legal and judicial decisions can be discussed and utilized as part of the promotion of healing and resolution.
- Counseling can help develop coping skills and strategies—allowing for the continuance of school, work or relationships.
- Establishment of a support network can help to decrease the negative physical, psychological and emotional effects that often result from traumatic experiences.

You can utilize the traumatic experiences as an opportunity to build and practice assertiveness, confidence, and even protective instinct skills.

## Who can help?

The Travis County Sheriff's Office Victim Services Unit can assist you with information regarding your case status, Victims' Rights, Crime Victim Compensation, navigation of the criminal justice system and referrals to the appropriate community helping professionals or organizations according to your specific needs.



## Resources

### Dell Children's Medical Center– ER

(512) 324-0150  
4900 Mueller Blvd, Austin TX

### SAFE Alliance

512.267.SAFE or  
[www.safeaustin.org](http://www.safeaustin.org)

### Rape, Abuse, & Incest National Network

1-800-656-HOPE(4673)  
[www.rainn.org](http://www.rainn.org)

### TX DPS: Non-reported Sexual Assault Evidence Program

[www.dps.texas.gov](http://www.dps.texas.gov)

### Office of the Attorney General

1(888) 832-2322  
[www.oag.state.tx.us](http://www.oag.state.tx.us)

## Sexual Assault Reporting Options

### Victim Services Unit

5555 Airport Blvd  
Austin, TX 78751  
512-854-9709



Name/ID Number:

Direct Number:

Mailing Address:  
PO Box 1748  
Austin, TX 78767

## What is Sexual Assault?

Sexual assault occurs when a person performs an unwanted sexual act on another. A victim is unable to give consent if he/she is under 16 years old, intoxicated/drugged or unconscious.

*Aggravated sexual assault* occurs when the sexual assault causes serious bodily injury or attempts to cause death; the perpetrator places the victim in fear that death, serious bodily injury, or kidnapping will occur; uses/exhibits a deadly weapon; involves a second perpetrator; or gives the victim a “date rape drug.” A sexual assault can also be aggravated when a victim is younger than 14 years of age or an elderly/disabled individual.

*Anyone can be a victim of sexual assault.*

*Anyone can be a perpetrator of sexual assault.*

*Most victims know their perpetrators.*

*Marriage does not eliminate the possibility of a sexual assault by a spouse.*

Victims of sexual assault may experience a variety of reactions—including physical and emotional reactions. Each survivor’s individual experience will be unique and normal. It is important to know that while you did not choose for this to happen to you, you have choices about what will happen next.

*You are not alone and support is available.*

## Reporting Options

**Reporting to Law Enforcement**—making a law enforcement report will result in the sexual assault being investigated. The sooner a report is made, the probability of collecting substantial evidence for the case increases. All sexual assault cases are assigned to a detective for investigation. If sufficient evidence exists, the detective will present the case to the District Attorney to determine if prosecution of the offender will occur.

**Pseudonym Reporting**—A victim can choose a pseudonym to be used instead of his/her legal name in all public files and records concerning the offense. This includes law enforcement reports, press releases, and all records of judicial proceedings. A victim who elects to use a pseudonym must complete a pseudonym form and then provide it to the law enforcement agency investigating the offense. Forms are available through the OAG or law enforcement.

**Non-Reporting**—Safety and emotional concerns are often involved in the decision to report to law enforcement. Adult victims must do what is in their best interest, and that does not always involve making a law enforcement report. If you are an adult and don’t want to make a law enforcement report immediately after the assault, you can still access a medical exam to collect evidence from the assault if you decide to press charges in the future.

In the Austin area, adult victims who contact law enforcement and advise they have been sexually assaulted but do **NOT** want the involvement of law enforcement will be directed to a local hospital or SAFE Alliance where a forensic medical exam can be completed. The evidence collected from the exam will be maintained for a period of 2 years by the Department of Public Safety.

Adult victims may also choose to go directly to a local hospital emergency room or SAFE Alliance and request the exam without law enforcement involvement. It’s important to know that the exam may only be approved within 96 hours after the assault has occurred—that is the window of time when evidence will remain viable.

Individuals who contact TCSO and advise that they **previously** completed a forensic medical exam due to a sexual assault and now want to report this to law enforcement shall be treated in accordance with established procedures for reports of current sexual assaults.

## About the Sexual Assault Forensic Exam

The Sexual Assault Forensic Exam (SAFE) is completed at SAFE Alliance by a specially trained Sexual Assault Nurse Examiner (SANE) who looks for evidence that might have been left by the suspect as a result of the assault. In the Austin area, SAFEs are completed at SAFE Alliance for adults/teens and Dell Children’s Hospital for children. SAFEs usually take a few hours to complete.

It can be distressing to submit to an exam, especially so quickly after a traumatic sexual assault. Advocates are often present at the hospital to assist individuals with the process.

## Protective Options

**Protective Orders**—if you are the victim of a sexual assault you can apply for a protective order. This is a court order that may prohibit the offender from coming near protected persons or engaging in threatening or harassing behavior.

**Address Confidentiality Program (ACP)**—this program helps victims of sexual assault keep their actual address confidential. The Office of the Attorney General (OAG) provides a substitute post office box address and free mail forwarding service for participants. ACP is a safety tool and intended as one step in an overall safety plan. However, it’s not a witness protection program nor a guarantee of safety.

**Sexual Assault Lease Terminations**—victims of sexual assault who meet certain criteria have the right to terminate a lease without liability for future rent and/or any other sums due for terminating the lease before the end of the lease term. This can be helpful if you need to relocate for safety.