

YOUR RIGHTS AS A VICTIM
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As a crime victim,
you have the following rights:

The Right to be treated with fairness and with respect for your dignity and privacy

The Right to be reasonably protected from the accused offender

The Right to be notified of court proceedings

The Right to be present at all public court proceedings related to the offense, unless the court determines that your testimony would be materially affected if you as the victim heard other testimony at the trial

The Right to confer with the attorney for the government in the case

The Right to information about the conviction, sentencing, imprisonment and release of the offender

The Right to available restitution.

RESOURCES

MILITARY

Counseling Services

Bldg. 1122 725-9051

Bldg. 520512 763-6940

DoD SafeHelpline

www.SafeHelpline.org

1-877-995-5247

HQMC SAPR

https://www.manpower.usmc.mil/portal/page/portal/M_RA_HOME/MF/D_Sexual%20Assault%20Prevention

CIVILIAN

Oceanside

Women's Resource Center

(760) 757-3500

North County

Center for Community Solutions

(760) 747-6282

Southwest County

Riverside Area

Rape Crisis Center

(951) 686-7273

National Hotline

1-800-656-HOPE (4673)

www.RAINN.org



mccsCP.com

IN STEP WITH YOU

SEXUAL ASSAULT PREVENTION & RESPONSE

Information for Active Duty Victims of
Sexual Assault



PREVENTING SEXUAL ASSAULT IS EVERYONE'S DUTY.
HURTS ONE. AFFECTS ALL.

Sexual Assault

Sexual assault is a crime defined as intentional sexual contact, characterized by use of force, threat, intimidation, abuse of authority, or when the victim does not or cannot consent. Sexual assault includes rape, non-consensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Sexual assault can occur without regard to gender, spousal relationship, or age of victim.

Consent

Consent shall not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a person uses force, threat of force, coercion or when the victim is asleep, incapacitated, or unconscious.

Restricted Reporting

Under restricted reporting, if you report to the persons named below no investigation of your assault will occur. Your command, law enforcement personnel, and other military authorities will not be notified that you are a victim of sexual assault.

1. Installation Victim Advocates: (760) 725-7674 or after hours at (760) 500-1707.
2. Uniformed Victim Advocates within your Command
3. Chaplains
4. Military Mental Health Counselor
5. SARC

Marines, when not designated as a Uniform Victim Advocate, are required to immediately report incidents of sexual assault which come under their observation to their command. Under California state law, medical personnel are mandated to report sexual assaults to law enforcement. Therefore, if you tell anyone other than the above identified people, your case may be turned over to law enforcement for an investigation. Under restricted reporting, the full range of protections afforded to victims may not be available, such as an expedited transfer separating you from the offender or a military protective order prohibiting the offender from having any contact with you.

Unrestricted Reporting

Unrestricted reporting is a process where you disclose that you were the victim of sexual assault for purposes of starting an official criminal investigation. Your command will be notified that you are a victim. This will allow your commander to initiate the full range of protections and rights available to you as a victim, in addition to all the services and assistance available in restricted reporting. Your report is not confidential; however, your privacy is foremost in unrestricted reporting. An offender's command is responsible for deciding if a case is prosecuted or not.

FREQUENTLY ASKED QUESTIONS

Q: Under restricted reporting, can I change my mind about not reporting to authorities?

A: Yes. Restricted reporting is a tool to assist you as a victim of sexual assault in addressing the myriad of emotions surrounding a sexual assault. The goal is to hold all perpetrators of sexual assault accountable. However, you may not be able to immediately face the challenges that come along with reporting to authorities. Therefore, you may choose not to report initially, but may change your mind when and if you choose to make an official report.

Q: Is confidentiality absolute?

A: No. In those instances where your or another person's safety is in imminent danger, confidentiality is deemed waived. There are several other exceptions to confidentiality which your SARC, VA, or UVA will explain in more detail.

Q: What should I expect? Why don't I feel like myself? How will I feel?

A: Crime affects people in different ways. The way a person feels can differ from day-to-day and from person-to-person. Some days you may cope, others you may not be able to get on with your daily activities. These emotions could include: emptiness or numbness, fear or anxiety, sadness or depression, guilt, shame or dirtiness, anger or irritability, grief, loss of privacy and control, and panic and confusion. It is important to take care of yourself, and to get any support and treatment that you need.

Q: How do I handle the reactions and criticism of others when they learn about my sexual assault?

A: Many comments by others may feel like criticism or blaming even though it may not be intended that way. Remind yourself of the facts - you did not consent to the sexual acts even if you may not be happy with some of your choices. You were taken out of control of the situation. Your life has changed but you will go forward in spite of the criminal behavior committed against you. Use this as an opportunity to experience your personal strengths by holding your head up high, looking others in the eye, and holding the accused accountable for inappropriate behavior.