

Reporting a Sexual Assault

When deciding whether or not to report a sexual assault, it is important to know what will be involved in the process so you can make the decision that is best for you. This handout is intended as an outline of what to expect when you report a sexual assault to the Edmonton Police Service (EPS) or to University of Alberta Protective Services (UAPS). However, each circumstance may be handled differently at the discretion of EPS or UAPS, and therefore some of the steps taken may be different from what you will read in this handout.

Reporting to the Edmonton Police Service

It is important to remember that the role of the police is to conduct an impartial investigation. When an assault has been reported to the police, officers are responsible for gathering, evaluating, and processing information or evidence. Part of being an impartial investigator is that the police officer may refer to you as the “victim”, as this is the term used to refer to anyone who has had a crime committed against them.

Because there is no set protocol for the police to follow, each situation may be handled differently. The following briefly outlines some aspects of the reporting process. To report a sexual assault to EPS, there are three main ways to contact the police:

1) Phoning the police

To report a sexual assault, you can call the Edmonton Police Non-Emergency line: 423-4567. You will reach a dispatch officer who will give you instructions for filing a report. They may ask you to report in person at the nearest police station, or they may send officers to where you are to start a report and have you complete a witness statement.

2) Going to the hospital

You can also report a sexual assault to the police by going to a hospital to be examined. The first step is going to an emergency department of a hospital and telling the triage nurse at the desk that you have been sexually assaulted and/or you would like to see a SART (Sexual Assault Response Team) nurse. SART is a team of female Registered Nurses who have been trained specifically to care for people who have been sexually assaulted within the past 7 days.

By asking for a SART nurse, you are *not* automatically reporting the assault to the police. The SART nurse will ask you if you want to report to the police. If you do not want to report, the SART nurse will do a physical and genital exam to assess any injuries that may have occurred from the assault. If there is concern

about sexually transmitted infections or pregnancy, the nurse will discuss treatment options such as emergency contraception or medication.

If you do decide to report, the nurse will call the police for you, and a police officer will come to the hospital to speak with you. Once the police arrive, he/she will ask you what happened; if you are not able to give a full verbal statement at that time, the officer will usually wait until the next day. He/she may also give you witness statement forms and ask you to complete a written statement at home.

At this point you can also choose whether or not to have a sexual assault kit (or rape kit as it is sometimes referred to) completed by a doctor and nurse. The sexual assault kit may be done up to 72 hours following a sexual assault and is used to gather medical-legal evidence for court purposes. The SART nurse will explain the specifics of the kit. After you have been examined, the Detective may give you her/his card and make arrangements to speak with you again.

3) *Going to a police station*

The third option for reporting a sexual assault is to go into a police station or community station and report it to the officer at the desk. The procedure in this case can vary greatly, because each station is different.

When you go into a police station to report, you will be asked to write a witness statement and a report will be started. You may be asked to write your statement at the station, or you may be asked to take the statement home to write.

After the report has been started, you will get a copy of your statement and file number. Be sure to keep your file number, as it is important when trying to get information about your case later on. The police will contact you anywhere from a couple days to a couple weeks later to tell you if the case will be investigated further and/or if charges will be laid.

The Police Interview and Investigation

If the police are going to continue with an investigation, a Detective from the Sexual Assault Section of the Edmonton Police should call you within approximately two weeks to schedule an interview with you. Interviews take place at Police Headquarters, located downtown.

When you enter Police Headquarters, you must sign in at the front desk and ask for the Detective you are meeting. The Detective will come down and escort you through the station, as there is a security door to pass through. The interview rooms are located in the Sexual Assault Section on the 3rd floor.

The interview rooms have a small couch and chair, and only you and the Detective can be present in the room. Interviews are videotaped and can take anywhere from half an hour to six hours, but they are usually only about one to

two hours long. In the interview, you will be asked to tell the Detective everything you remember about the assault, and you will be asked to be very detailed and specific, even about parts of the sexual assault that make you uncomfortable. Being as honest and detailed as possible will be the most helpful.

After the interview, the Detective will continue with her/his investigation, including contacting the suspect. Some Detectives will let you know when they have contacted the suspect, while others will not. If knowing when the suspect will be contacted is important to you, be sure to ask the Detective to contact you after he/she has contacted the suspect. As the investigation progresses, the Detective will be in contact with you about the investigation and whether or not any charges will be laid. In some cases you may have to do a second interview, or look at a photo line-up. If the police do lay charges, the case continues on to the Crown Prosecutor's office, and then to court.

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Regardless of how you choose to report, if the police decide not to press charges, **it does not mean that they do not believe you**. The police may have a number of reasons for not being able to pursue your case, such as not having enough physical evidence to prove the charges in court. Accordingly, despite a full and truthful disclosure by you, if the required evidence does not meet the standard set forth by the courts, your complaint may not result in charges.

If the police do not lay charges, you can contact the crown prosecutors' office to lay charges yourself, although laying the charges yourself is generally more difficult than having the police do it. You may still be told the case will not proceed to court.

In order to assist you during and after the investigation, the police may refer you to Victim Services, who will most likely contact you after filing your initial report. Victim Services is a police-based unit that offers follow-up support for victims of crime and can provide referrals, debriefings, and support while working with the police system. You can choose whether or not you would like to work with Victim Services.

If you decide you do not want to go through the court and legal process, you can still file a report with the police. In Canada, there is no statute of limitations for sexual assault; if you tell the police you do not want to pursue charges at this time, there will be a record of the sexual assault in case you wish to pursue it at a later date.

In the end, the decision about whether or not to report the sexual assault to the police is up to you. The legal process can take up to two years from the initial report to the police to the court date, and delays by defense lawyers are common. You will be the one going through the process, and therefore your well-being and comfort with the process are vital.

Reporting to University of Alberta Protective Services

An alternative reporting process for University of Alberta students or staff is reporting to University of Alberta Protective Services (UAPS). Protective Services responds to incidents and complaints on campus that fall under the Criminal Code of Canada and the University of Alberta Code of Student Behaviour. UAPS is open 24-hours a day, 7 days a week, and is located in the Education Car Park.

When a complaint is made to UAPS, the process is quite similar to that of the Edmonton Police. One of the major differences is that once the UAPS constable is aware that the complaint is about sexual assault, he or she is obligated by policy to contact the Edmonton Police. This policy is not meant to pressure you to report to the police, but to allow the police to be first investigators if the case will be going to court.

Once EPS has been contacted by UAPS, a police officer will arrive at Protective Services and you will have the option of choosing whether or not to report to the police at this time. If you choose to report to the police, Protective Services cannot be involved until EPS has completed their investigation or criminal proceedings.

If you choose not to report to EPS, the UAPS investigation begins with taking a detailed written statement from you. You may wish to have a friend or supporter with you during this process. Another option is to have a representative from the U of A Sexual Assault Centre accompany you to Protective Services.

After taking a statement, the constable will begin an investigation, which can include interviewing the survivor, the accused, and any relevant witnesses. The constable will discuss with you what steps UAPS is able to take. They may speak to the perpetrator and give him/her a warning, or if the perpetrator is not a student, Protective Services can trespass them from all University property.

Once the investigation is complete, the constable forwards the file to the Director of Protective Services for review. If, as a result of the investigation, disciplinary measures are believed to be warranted, the Director of Protective Services will forward the results of the investigation to the Discipline Officer (an academic staff member who reviews all offences under the Code of Student Behaviour). If Protective Services' investigation does not result in charges under the Code of Student Behaviour due to a lack of evidence, the survivor's statement will remain on file as evidence if someone else comes forward about the same perpetrator.

Choosing whether or not to report a sexual assault is a personal decision, and in the end you must choose what is right for you after considering what is involved in the process. The U of A Sexual Assault Centre can help you to consider your options and support you in your decision.