



Picture Guide to the Exam After Sexual Assault for Advocates

About this Guide

The Picture Guide to the Exam After Sexual Assault for Advocates and the accompanying resources were developed to enhance access to sexual assault forensic examinations for people with disabilities. The tools include:

- Picture Guide to the Exam After Sexual Assault for Advocates who support survivors of sexual assault during sexual assault forensic examinations
- Instructional guidelines for medical advocates and other advocates to accompany the slides and notes
- Victims' Rights Regarding the Exam After Sexual Assault

Medical Advocacy with People with Disabilities

As with any survivor, a person with a disability needs to know that you are there to help and support her through the process.* Telling the survivor that you are sorry that the assault happened and that you believe her is extremely important. In some cases, a person with a disability can be seen as having a history of lying or having "behaviors" for attention, so authority figures may not listen as fully. It is important to let her know that her credibility is not in question with you. Also, she needs to know you are not part of the investigation, so you do not need to know all of the details about what happened.

When you are providing medical advocacy to a woman with a disability, there are some considerations to keep in mind. She may not have had access to gynecological care in the past, and the pelvic exam provided with the healthcare exam and evidence collection process may be her first. This can add a lot of stress, fear, and additional trauma to an already overwhelming experience. Find out if she has previous experience

* These materials are intended for both males and females who are sexually assaulted. In this document, the sexual assault survivor is referred to as "she" because women are most commonly the victims of sexual assault.

with gynecological care, but do not assume that this is the case for every survivor with a disability. Listen to the survivor rather than making assumptions about her. If a survivor has not had a previous 'well woman' exam, use the slide in the PowerPoint and a speculum to explain what will happen. The medical staff may do this or ask you to assist. Either way is fine as long as the survivor gets the information she needs. If the survivor seems upset by the picture, ask if she wants you to stop showing it. In that case, explain without the picture. Remember, she is in control of the process.

Please review the PowerPoint slides, notes, and victim rights statement so you are prepared to advocate for survivors with disabilities in the best manner possible.

Using the PowerPoint Presentation

The PowerPoint slides were developed to help you assist survivors with disabilities who are seeking medical treatment and evidence collection after a sexual assault. If you are a rape crisis center advocate, you may be familiar with the evidence collection kit and process, but the one shown here may vary from your personal experience. Please adapt this when necessary to make it useful in the hospitals where you provide services. For other advocates working in the community who are not familiar with the process, we are hopeful that this information will better prepare you when working with a survivor in an emergency room.

The Victim Should Not Be Billed for Medical Examinations and Evidence Collection Related to a Sexual Assault

Please let the survivor know that the medical examination is free. If she does receive a bill for any part of her healthcare, advocate with the provider with the survivor's consent.

Privacy of Information and Mandated Reporting

Medical advocates at rape crisis centers have absolute confidentiality, but other professionals in the community may be mandated reporters. Give the survivor accurate information about who might have to report that a crime occurred. If you are unsure, tell her you will help her to find out.

The Role of the Advocate

Many survivors describe the medical examination and evidence collection process as overwhelming, scary, and painful. As an advocate, you know you cannot prevent any of these from being true, but you can help a survivor make informed choices, ensure her rights are protected, and understand the process as best as possible. This is the case when working with survivors with disabilities. The role of the advocate is the same no matter who the survivor is, so the goal of this information is to help you meet the survivor's needs.

As with any person who has been traumatized, the survivor you meet with at the hospital may have problems understanding or processing the information you give her. Depending on the type of disability the survivor has and her trauma-response, you may need to explain ideas or procedures multiple times or in different ways. As always, speak to the survivor in terms she can understand, not at or above her, so please be mindful of the language you are using. Words that express complicated ideas may not be understandable to everyone. Be clear and concise when working with someone experiencing this kind of trauma. You may need to find other methods of communication, such as pictures.

The Victim's Rights

A survivor with a disability has the exact same rights as any other survivor when reporting an assault, receiving medical care or going through the evidence collection process following the violence. The advocate's role is to ensure the survivor has the information she needs to make decisions around these rights and procedures. Just like anyone else, she can refuse to participate in any part of the process or to any medical procedure. There are no exceptions to the right of refusal. She can say no to an anal or vaginal examination. Our job as advocates is to make sure she has information about her rights when making decisions and to assist her in making these decisions known to the medical staff. When the survivor is asked to sign consent for medical treatment and evidence collection, make sure she understands what she is being asked to sign and what the consequences are if she does not sign.

Advocacy with Family Members, Caregivers and Guardians

Family members, caregivers, and guardians of people with disabilities sometimes feel entitled to make decisions on their behalf. In the state of Illinois, the survivor is the person who has the right to consent to evidence collection following a sexual assault. If a family member, caregiver, or guardian insists on making decisions, advocate on behalf of the survivor by explaining her rights to this person. Please understand that this person is trying to help as best they know how, so when having this conversation, do not alienate the person you are working with. It may be best to say something such

as, "While I understand you are trying to help, only the survivor has the right to make these decisions, and our job is to help support her in these decisions."

Advocacy with Medical Staff

When you provide advocacy and support to a survivor with disabilities, you and the medical staff need to know what accommodations the survivor needs to fully participate in the process. The survivor may need communication accommodations and/or physical accommodations. Communication accommodations might include, but are not limited to, a certified American Sign Language (ASL) Interpreter, Braille consent form, individualized communication device, picture book, or someone who understands the survivor's speech. *

Physical accommodations typically involve accommodations to lift the survivor onto the examination table and/or alternate positions for the gynecological portion of the examination. The survivor knows what will work best and the advocate can support the survivor in reinforcing her needs and receiving her needed accommodations.

*The local Center for Independent Living may be a helpful resource for assistance with accommodations. www.incil.org

[Insert rape crisis center information here.]

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