



**WACO**  
POLICE DEPARTMENT

# SEXUAL ASSAULT

To Report or Not to Report?

The decision to report to law enforcement is entirely yours. Some survivors say that reporting and seeking justice helped them recover and regain a sense of control over their lives, while other survivors need time to decide their course of action and choose not to report.

Understanding how to report or the non-reporting process and learning more about the experience can take away some of the unknowns and help you feel more prepared about your decision.

# What is Sexual Assault?

Sexual assault is any forced, coerced, unwanted sexual contact. Sexual Assault can include different forms of violence. Remember, sexual assault is never the victim's fault.

## Types of Sexual Assault

Sexual assault can include, but is not limited, to:

- Attempted Rape
- Rape - sexual intercourse or penetration without permission (consent)
- Sexual threats and intimidation
- Sexual assault by intimate partners or persons known to the victim
- Human Sexual Trafficking

# What is Consent?

Consent is an agreement between participants to engage in sexual activity.

Consent should be clearly and freely communicated. Verbal and affirmative expression of consent can help both you and your partner to understand and respect each other's boundaries.

When you're engaging in sexual activity, **consent is about communication**, and it should happen every time for every type of activity.

Consenting to one activity, one time, does not mean someone gives consent for other activities or for the same activity on other occasions.

You can withdraw consent at any point if you feel uncomfortable. One way to do this is to clearly communicate to your partner that you are no longer comfortable with this activity and wish to stop.

## What does “without consent” look like according to Texas Law?

**Physical force, violence, or coercion**

**Credible threats of physical force, violence, or coercion**

**Unconscious or physically unable to resist**

**Mental disease or defect**

**Unaware the assault is occurring**

**Impairment by secretly administering a drug**

**Credible threats of physical force against another person other than the victim**

**Coercion by a public servant**

**Exploitation of emotional dependency by healthcare providers**

**Exploitation of emotional dependency by clergy**

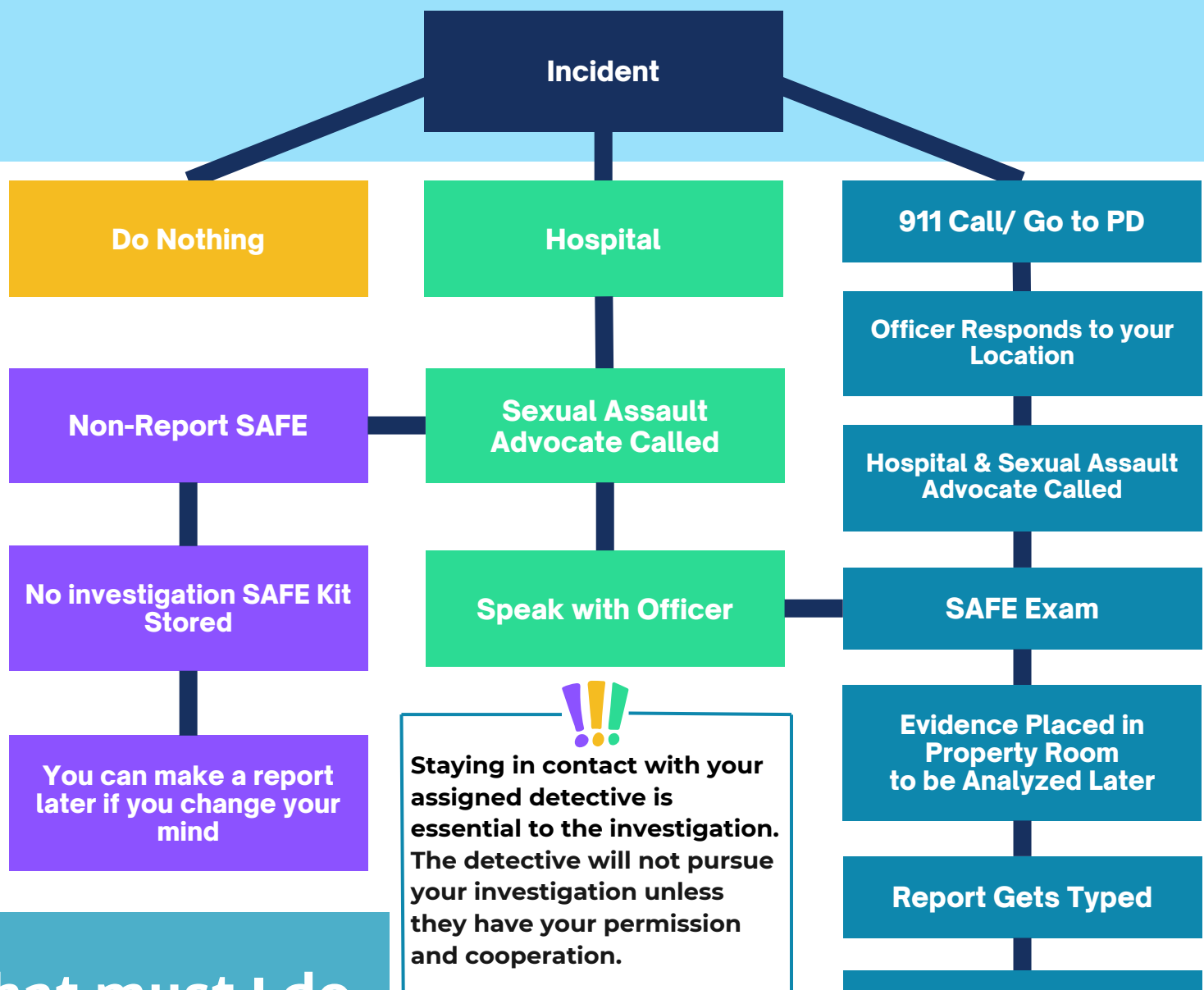
**Employee in facility which the victim resides**

**Swapping human reproductive material without permission**

**Exploitation of emotional dependency by coach or tutor**

**Exploitation of emotional dependency by hired caregiver**





## What must I do to report a Sexual Assault?

You have several options for reporting sexual assault:

- **Call 911.** If you are in immediate danger, dial 911. Help will come to you wherever you are.
- **Contact the Waco Police Department.** Call the direct line at (254) 750-7500 or visit the police department in person at 3115 Pine Avenue, Waco, TX 76708.
- **Visit a medical center.** You can go to either major hospital in Waco. Baylor Scott & White or Ascension Providence emergency rooms will accommodate your immediate medical and/or forensic exams at **no** cost to you. You will need to tell a medical professional that you wish to report a sexual assault.

# What should I expect once I report that I was sexually assaulted?

A police officer will respond to your location. If you go to the hospital first, hospital staff will contact a **sexual assault advocate** to respond so they can be with you throughout the process.

The officer will collect your information and gather basic details of the sexual assault. The officer and/or a crime scene technician may need to collect additional evidence (e.g., clothing, sheets, or blankets) from you.

While at the hospital, you will be asked to complete a sexual assault exam. A sexual assault examination (also called a medical forensic exam) is a procedure conducted by a medical professional to treat a victim of sexual assault while also collecting evidence of the crime. **The immediate collection of forensic evidence is extremely important in sexual assault cases.** It can mean the difference between a conviction and a dismissal—or even identifying the perpetrator at all. An immediate sexual assault exam allows for the collection of corroborating evidence to support a victim's allegations.

The report will then be dictated by the officer and typed by a typist, and any evidence will be sent for processing at the property room. After the report is typed, it is sent to the Special Crimes Unit and assigned to a detective for further investigation. The assigned detective will reach out to you no sooner than 48 hours after your report was made.

The detective will schedule a more thorough interview. **If you wish, a sexual assault advocate or victim's services representative can be there to support you during the investigative interview.** After the interview, your detective will ask you if you wish to proceed with the investigation. The decision to pursue must be solely your choice. If you decide to proceed, the detective will try to contact the suspect and any witnesses to corroborate your allegations. If the detective is able to substantiate the allegations, then the suspect can be arrested and charged.

# What if I don't want to get police involved?

If you are not ready to get police involved, you still have the option to have a sexual assault forensic exam conducted. **No police report is required.** This is called a Non-Report Sexual Assault Examination. Non-report exams balance the needs of victims and the criminal justice system by allowing survivors to preserve important evidence and still take the time they need to decide whether to report.

You can get a Non-Report Sexual Assault Exam at any local hospital; just let staff know you don't want to report. Afterwards, you will be provided a tracking card for the kit, which is stored in evidence holding.

If you are unsure about reporting the attack, you may seek more information about the reporting process from the **Advocacy Center for Crime Victims and Children**. They provides survivors with support, confidential services, and an advocate to accompany victims to the emergency room.

## Is a Non-Report Sexual Assault Exam Confidential?

Yes. All evidence collected during the exam will be securely stored and only released with the survivor's written consent.

## How Long Does a Victim Have to Decide Whether to Report?

The Department of Public Safety will store any evidence collected during a non-report sexual assault exam for five years . After that the evidence is destroyed. **You can still make a report even if the evidence has already been destroyed.**

## Are drug tests conducted as a part of the exam?

Drug screens will only be available through the hospital as a part of medical care. This testing will not screen at the very sensitive levels possible through a forensic laboratory.

If you think you may have been drugged, you may want to consider making a report immediately to law enforcement.

## Who Can Get a Non-Report Sexual Assault Exam?

Any victim of sexual assault can receive a non-report exam, if she or he:

- ☐ is at least 18 years old,
- ☐ arrives at the medical facility within 120 hours (5 days) of the assault, and
- ☐ consents to the exam.

**Sexual assault of a minor (<18) MUST be reported to law enforcement.**

## How Much Does a Non-Report Sexual Assault Exam Cost?

The law expressly states that sexual assault survivors never have to pay for any procedures or services related to evidence collection, for the evidence collection kit, or for reasonable costs of other medical care.

## What Happens When a Victim Changes their Mind About Reporting?

A report can be made at the Waco Police Department located at 3115 Pine Avenue, Waco, Texas 76708. If the victim no longer resides in the Waco area, a report can be made over the phone with the Special Crimes Unit at 254-750-7612.

# Contact Info

## Waco Police Department

If you have questions about the status of your case or need assistance, you may contact the crime victim liaison at our agency.



3115 Pine Ave, Waco, TX 76708



254-750-7526  
254-750-7525  
254-750-7527

## District Attorney's Office

If you would like to speak with someone in the prosecuting attorney's office, you may reach out to their victim assistance coordinator.



219 N 6th St, Waco, TX 76701



254-750-5084

## Advocacy Center for Crime Victims & Children

If you need assistance or wish to speak with an advocate, you may contact the local sexual assault program or social service organization.



3318 Hillcrest Dr, Waco, TX 76708



254-752-9330

## Sexual Assault Medical Forensic Examinations

You may receive a sexual assault forensic medical examination at the following locations.

### Ascension Providence Hospital



6901 Medical Pkwy, Waco, TX 76712

### Baylor Scott & White Medical Center (Hillcrest)



100 Hillcrest Medical Blvd, Waco, TX 76712

## National Human Trafficking Hotline



1-888-373-7888 or text **HELP** or **INFO** to BeFree (233733)

## **NOTICE TO ADULT VICTIMS OF SEXUAL ASSAULT**

**It is a crime for any person to cause you any physical injury or harm. Please tell the investigating peace officer if you have been injured or if you feel you are going to be in danger when the officer leaves or at a later time.**

**You have the right to:**

- (1) obtain a forensic medical examination within 120 hours of the assault to collect potential evidence and receive preventative medications, even if you decide not to make a report to a law enforcement agency;**
  - (2) anonymously track or receive updates regarding the status and location of each item of evidence collected in your case;**
  - (3) have a sexual assault program advocate present during a forensic medical examination;**
  - (4) have a sexual assault program advocate or other victim's representative present during an investigative interview with law enforcement;**
  - (5) ask the local prosecutor to file a criminal complaint against the person who assaulted you; and**
  - (6) if a defendant is arrested for a crime against you involving certain sexual crimes, stalking, or trafficking:**
    - (A) request an order for emergency protection to be issued by a magistrate; and**
    - (B) apply to a court for a permanent order to protect you (you should consult a legal aid office, a prosecuting attorney, or a private attorney). For example, the court can enter an order that prohibits the person who assaulted you from:**
      - (1) committing further acts of violence;**
      - (2) threatening, harassing, or contacting you or a member of your family or household; and**
      - (3) going near your place of employment or near a child care facility or school attended by you or a member of your family or household.**
- You cannot be charged a fee by a court in connection with filing, serving, or entering a protective order.**