

A Guide to Advocacy Services

Published Feb. 2004

Illinois Coalition Against Sexual Assault

What is Advocacy?

After you have been sexually assaulted, you may want someone to assist you with what happens next. You may want to go to the hospital for medical care. You may decide to report the rape to the police. You may want to file criminal charges against the attacker.

During each step, you can get help from an advocate. The advocate will help you, your family and your friends by providing you information and assistance at the hospital, police station and through the court process. This help is called advocacy.

The 34 ICASA rape crisis centers in Illinois have advocates ready to help you. Advocates provide free, victim-centered services. This booklet explains how to find an advocate and what she can do for you.

What Is An Advocate?

An advocate supports the sexual assault victim. She brings comfort, support and information for the victim and her loved ones.

The advocate knows about the medical care a victim receives after the assault. She knows how the police can help. She knows how the court system works. She is the victim's personal link to the medical, police and court systems.

An advocate knows the workers at the hospital, police station, State's Attorney's office and courthouse. She helps them understand sexual assault and support the victim. She works with these people to help the victim. The advocate is available for the victim through every step of every process.

The victim does not pay for an advocate's help. Services from rape crisis centers are free and confidential.

How Do I contact an Advocate?

Advocates work at ICASA rape crisis centers. There are several ways a victim or her family and friends can contact an advocate.

Call the nearest rape crisis center that is a member of the Illinois Coalition Against Sexual Assault (ICASA). Each center has a 24-hour crisis hotline. The locations and telephone numbers of these centers are listed in the back of this booklet. You can also find information about each center on the Internet at www.icasa.org. Each center can provide an advocate in its service area 24-hours-a-day, seven days a week.

At the hospital emergency room ask a nurse or other hospital employee to call an advocate. The advocate will come to the hospital to help the victim.

Call the police. Ask the police to call an advocate.

An advocate can be contacted at any time after the assault to help a victim. If the victim has already reported to the police or received medical care, an advocate can still help the victim with follow-up care and through the court system.

What Does An Advocate Do?

After a sexual assault, a victim has several decisions to make. A victim may call a rape hotline. She may go to the hospital emergency room. She may call the police.

At each step, the advocate explains to the victim what will happen.

She helps the victim understand her choices and the decisions she is making. She protects the victim's right to be respected at all times. The advocate speaks up for the victim's rights and wishes. She will help the victim get information about her case.

The advocate works with the victim when the victim is:

- Going to the hospital;
- Reporting to the police;
- Going to court.

During all times the victim can ask the advocate to talk with hospital staff, police and State's Attorneys on her behalf.

At The Hospital

An advocate can meet the victim at the hospital. The victim or hospital staff can call for an advocate.

At the hospital, the victim may ask the advocate for support in several ways. If the victim wants her to, the advocate will:

- Wait with the victim;
- Call the victim's family or friends;
- Explain the medical exam and the evidence collection procedure to the victim;

- Stay with the victim during the exam;
- Help the victim get emergency contraception if the hospital does not provide this medication;
- Bring clothes for the victim to wear home from the hospital;
- Explain the role of law enforcement at the hospital and help the victim decide if she wants to talk to police;
- Call a locksmith if the victim's home was broken into;
- Arrange transportation and lodging; and
- Give the victim information about how the rape crisis center can help her after she leaves the hospital.

Reporting To Police

If the victim chooses to report the attack to the police, the advocate can:

- Go with her to report the assault;
- Explain how to report the assault to the police;
- Explain the victim's rights throughout the police investigation; and
- Go with her to identify the attacker in a police lineup.

Going To Court

The State's Attorney decides whether there is enough evidence to file criminal charges in a case. The State's Attorney is the lawyer who prosecutes the attacker. The advocate will work with the State's Attorney to keep the victim updated on the case and make sure the victim's rights are respected.

During the court process, the advocate can:

- Go with the victim to the State's Attorney's office and be available to discuss how the case will be handled;
- Talk with the State's Attorney about charges being filed;
- Explain the trial process to the victim, answer her questions and get information for her;

- Work with the State's Attorney to prepare the victim to testify at the trial;
- Go to court with the victim when she testifies;
- Keep the victim updated on the case;
- Contact the victim's employer to explain why she may need to miss work (or school) to go to court; and
- Help the victim write a Victim Impact Statement to give to the judge if the attacker is convicted.

If the State's Attorney does not file charges, it does not mean the assault didn't happen. It only means there is not enough evidence to charge the offender.

Follow-Up Care

Advocates help victims after the initial hospital visit or meeting with police.

An advocate can go with the victim to follow-up appointments with medical personnel at the hospital or doctor's office.

Advocates work with the hospital to make sure victims are not billed for hospital services.

Advocates also help victims file for crime victim compensation funds administered by the State of Illinois. Advocates have access to the applications and will guide the victim through the process.

The Advocate's Limitations

An advocate can assist the victim in several ways; however, there are certain things that the advocate can't do. The advocate does not attempt to influence the victim's decision to report or file charges. The advocate does not investigate the case or testify in the case.

An advocate does not counsel the victim. As part of helping the victim through the medical, police and court systems, the advocate talks with the victim about her feelings during these steps. But, if a victim wants more counseling, the advocate will find a counselor at the rape crisis center to help the victim with her emotional recovery from the attack. ICASA rape crisis centers provide free and confidential counseling.

A Victim's Rights

A sexual assault victim is guaranteed certain rights under the Illinois Constitution and Illinois statutes. Crime victims have the following rights in Illinois:

- The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process.
- The right to notification of court proceedings.
- The right to communicate with the prosecution.
- The right to make a statement to the court at sentencing.
- The right to information about the conviction, sentence, imprisonment and release of the accused.
- The right to the timely disposition of the case following the arrest of the accused.
- The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony.
- The right to restitution.

The Right To Confidentiality

Under Illinois law, the victim has the right to confidentiality at the rape crisis center. Anything she tells the advocate is confidential. Only the victim decides if the information can be told to anyone else.

The Law

The advocate understands the sexual assault laws in Illinois. She can work with the police and State's Attorneys to make sure they are informed about the laws and current case law.

The following is summary information about the Illinois Criminal Sexual Assault Law in Illinois.

Criminal Sexual Assault

The attacker used force to sexually penetrate the victim's body.

Aggravated Criminal Sexual Assault

The attacker used a weapon or threatened to kill the victim during the sexual assault.

Criminal Sexual Abuse

The attacker used force to touch the victim's sex organs, anus or breast.

Aggravated Criminal Sexual Abuse

The attacker used a weapon or threatened to kill the victim during the sexual abuse.

Predatory Criminal Sexual Assault of a Child

An adult commits sexual assault on a child under the age 13.

Sexual assault and sexual abuse are crimes. They are crimes even if:

- The victim knew the attacker;
- The victim did not fight back;
- The victim had sex with the attacker before the attacker raped her;
- The victim was drunk or unconscious.

Remember...

- Sexual assault is a crime.
- Anyone can be a victim of sexual assault.
- The victim is not to blame.
- The victim has the right to respect, information and confidentiality.

An advocate can support the victim and give her information about her choices.

Advocacy services are available 24 hours a day, free of charge. Call the rape crisis center nearest you for more information. Information on ICASA's centers can be found on the Internet at www.icasa.org.

ICASA 100 N. 16th Street Springfield, IL 217-753-4117