



Tips for Advocates: Sexual Assault

Safety Information

- Basic safety planning for sexual assault survivors:
 - Check out Victim Rights Law Center's [Safety Planning Guide](#) and the [VIGOR Safety Plan](#) for complete guides.
 - Assure the survivor that they have survival skills and that it takes a lot of inner strength to seek services.
 - Help the survivor assess immediate emotional and physical needs.
 - Consider whether it is necessary/possible to privatize the survivor's address, work and/or school information, being clear that they can choose what information they want to disclose or not disclose.
 - Ask about the survivor's online presence and offender's ability to access it. You can also ask if they are experiencing harassment by the offender or those attached to the offender.
- To obtain a Sexual Assault Protective Order, a survivor need not prove a threat of future harm (which is different from other protective orders). The survivor only needs to show evidence that an assault occurred. Check out Texas Law Help's [Sexual Assault Protective Order Kit](#) for more information.

Issues and Resources for Sexual Assault Survivors

- Under [Texas Penal Code § 22.011](#) and [Texas Property Code §92.0161](#), a sexual assault survivor has the right to terminate her or his lease before the end of their lease term without penalty.
- Survivors have the option of using a pseudonym if they choose to make a law enforcement report. To use this option, the survivor must complete a [Pseudonym Form](#) available from law enforcement. The form removes the survivor's name from public files and records concerning the offense, including policy summary reports, press releases, and records of judicial proceedings. Note that this only protects the survivor's name in records concerning the offense.
- [Title VII of the Civil Rights Act of 1964](#) provides protections for survivors who experienced sexual assault or harassment in the workplace. Contact [Texas Association Against Sexual Assault](#) (TAASA) for more information or specific technical assistance.

Forensic Exams

- A survivor does not have to make a law enforcement report to seek a sexual assault forensic exam (SAFE) by a sexual assault nurse examiner (SANE). In accordance with [Texas Code of Criminal Procedures Article 56.065](#), an offsite laboratory will hold the evidence collected from the exam for up to two years, giving the survivor time to make a decision that is best for them.



Forensic Exams (Continued)

- The forensic exam should happen within 96 hours of the assault, and any hospital must offer the exam if it is within that time period and the survivor requests it.
- Survivors should not be charged for the forensic portion of the exam but may be charged for any medical testing or treatment of injuries. If medical charges are related to the assault, then the survivor can seek reimbursement from [Crime Victim's Compensation](#).
- Hospitals should offer:
 - an advocate from a sexual assault program;
 - a private waiting and treatment room, if available;
 - an information form detailing the exam process and the survivor's option to withdraw consent for the exam at any time, the name and telephone number of sexual assault crisis centers statewide, and information about sexually transmitted disease, pregnancy, drug-facilitated sexual assault, post-exposure prophylaxis for HIV, and Crime Victims' Compensation; and
 - access to appropriate prophylaxis for exposure to sexually transmitted infections (STIs).

STI Information

- Hospitals should offer access to appropriate prophylaxis for exposure to sexually transmitted infections (STIs) during the administration of a sexual assault forensic exam. This includes information regarding treatment of sexually transmitted infections and pregnancy, including:
 - generally accepted medical procedures;
 - appropriate medications; and
 - any contraindications of the medications prescribed for treating sexually transmitted infections and preventing pregnancy.
- Hospitals should give information regarding post-exposure prophylaxis for HIV infection.
- The Office of the Attorney General [Crime Victim's Compensation](#) fund should reimburse any cost to the victim for prophylaxis if the survivor chooses to report and cooperate with law enforcement.

Additional Resources

- [Texas Association Against Sexual Assault \(TAASA\)](#) – Texas membership agency supporting sexual assault programs and online resources. Call 512-474-7190.
- [Legal Aid for Survivors of Sexual Assault \(LASSA\)](#) – Legal hotline that provides survivors with legal information about crime victim's rights, housing, employment, immigration, and more. Call 1-844-303-SAFE (7233).
- [Advocates for Victims of Crime \(AVOICE\)](#) – Statewide program that provides free direct legal representation and pro se assistance. Call 1-888-343-4414.
- [Texas Advocacy Project Sexual Assault Legal Hotline](#) – Provides free legal services and information. Call 1-888-296-SAFE (7233).