New Mexico Sexual Abuse Program Coordinators (Continued)

Roswell
Esperanza House, Inc.
575-625-1095
Susan Wilson, L.I.S.W.
575-625-0385

Ruidoso
La Frontera NM
575-257-5038
575-437-8680 crisis
800-634-3666 crisis

Santa Fe
Santa Fe Community Guidance Center
505-988-9633
Solace Crisis Treatment Center
505-988-1951 or 505-986-9111 or 800-721-7273 crisis

New Mexico Sexual Assault Nurse Examiner’s Unit

Alamogordo
SANE Program of Otero and Lincoln County
575-430-9455 (Emergency and Administrative)

Albuquerque
Alan Quintero SANE Collaborative
505-884-8720 • 505-884-7263 Emergency
Para Los Ninos, Pediatric Sex Abuse Exam
505-272-6849
Francesco
Sexual Assault Services of
Northwest New Mexico
505-325-2805 • 505-326-4700 or 866-908-4700 Emergency

Las Cruces
Las Cruces SANE Project
575-531-5549 • 575-312-7780 or 888-595-7273 Emergency
Las Vegas, SANE
Alta Vista Regional Hospital
505-718-4215
Portales
Aripe Sexual Assault Services
575-236-4665 • 575-226-7263 Emergency

Santa Fe
Christus St. Vincent Regional Medical Center SANE Program
505-913-4999 • 505-998-5932 Emergency
Silver City
Silver City/City-County Medical Center SANE Program
575-313-9078
Taos
Twin Pines Cross Hospital SANE Program
575-751-6990 • 575-758-8883 Emergency

Roswell
Esperanza House SANE Project
575-625-1457 • 575-625-1095

Silver City
La Frontera NM
575-388-2903 • 800-426-0997 crisis
Silver Regional Sexual Assault Support Services
575-388-2903 • 800-426-0997
Socorro
Socorro Mental Health
575-635-2444
Taos
Community Against Violence
575-758-4082 • 575-738-9888 crisis
Taos-County Community Services, Inc.
575-738-1315

Truth or Consequences
La Pasita Sexual Assault Recovery Services
575-526-3437 (La Pasita)
Sierra Vista Hospital
575-694-2111
Taos
Mental Health Resources, Inc.
575-461-3013
800-432-2199 crisis

Produced by:
New Mexico Coalition of Sexual Assault Programs, Inc.
3909 Juan Tabo NE, Suite 6
Albuquerque, New Mexico 87111
(505) 883-8020 within the Albuquerque area, or toll free at 1-888-883-8020 beyond the Albuquerque area
FAX: (505) 883-7530
E-mail: nmcsap@swcp.com
Web Site: www.nmcsap.org

New Mexico Coalition of Sexual Assault Programs, Inc.

‘No matter what is true of your past, the world is in need of your best contributions. You can only give your best by becoming your best self; and this is only possible if you consider yourself deserving of emotional healing.’

(Betty Capaner, Ph.D., ‘Overcoming Painful Past Experiences’)

An Informational Brochure for Victims of Rape

This publication is printed with the permission of the Texas Association Against Sexual Assault, with minor edits for the New Mexico Coalition of Sexual Assault Programs, Inc. This project was supported by New Mexico Human Services Department, Behavioral Health Services Division and New Mexico Department of Health, Office of Injury Prevention.
considered rape. The law describes that if these acts are forced or coerced, consent is not possible if you are completely coherent (not drunk, high, ill, blacked out), you have reached the age of consent, or you have the capacity to consent mentally and physically.

What is Rape?
This is the most common question that a victim asks following a forced or coerced sexual act. If consent was not given, your experience could be considered rape. Consent means that the other person agrees to have sexual contact with you. Consent can be given in person or in writing (a note, text message, or email). Consent is active and ongoing. Consent must be ongoing. Once there is a lack of consent, the sexual act becomes rape.

What could be considered rape?
A forced or coerced sexual act. If consent was not given, your experience could be considered rape.

Coercion
Coercion is any action which is intended to cause a person to engage in a sexual act. Coercion can occur when someone uses threats, violence, or fear to make you do something you do not want to do. Coercion is not necessary to establish rape.

Consent
Consent is the agreement to have sexual contact with someone. Consent can be given in person, in writing (a note, text message, or email), or in a legal document. Consent must be ongoing. Once there is a lack of consent, the sexual act becomes rape.

Rape
Rape is any unwanted, forced, tricked or coerced sexual act which includes a range of unlawful behavior. In New Mexico, the legal term for rape is ‘criminal sexual penetration’. Victims can be adult or child, male or female. The physical acts of criminal sexual penetration include the following:

• Sexual intercourse: the penetration of penis or any other object into the vagina, however slight
• Cunnilingus: mouth to female genital area, or being forced to perform this act
• Fellatio: mouth to penis, or being forced to perform this act
• Anal intercourse: the penetration by the penis or any other object into the anus, however slight

Ejaculation or physical injury does not have to occur for these acts to be considered rape. The law describes that if these acts are forced or coerced on another and they result in great mental anguish or great bodily harm to the victim, they qualify as criminal sexual penetration.

The following brochures about sexual abuse are available from the New Mexico Coalition of Sexual Assault Programs, Inc.:

For Young Children:
• Safe, Strong and Free
• For Children Sexually Abuse Other Children: Preventing sexual abuse among children and youth (Spanish and English)
• With Children Protecting Children from Sexual Assault: A Parents Guide
• Responding to Sexual Abuse in New Mexico: An Educators Guide
• First Responders Disability Awareness
• Elder Abuse in New Mexico Remedies and Resource
• Resisting Sexual Assault, Domestic Violence, and Stalking: A Guide for Criminal Justice Professionals in New Mexico

For Mid-School Aged Children:
• Top Ten Questions for Kids (Spanish and English)

For Parents:
• Talking To Your Children About Sex: How to use open discussions about sex, privacy, respect and values to prevent the sexual abuse and exploitation of children and teens (Spanish and English)
• Parent Empowerment (Spanish and English)
• Male Victims of Rape (Spanish and English)
• From Victim to Survivor (Spanish and English)
• Sexual Abuse of Persons with Developmental Disabilities
• Overcoming Painful Past Experiences (Spanish and English)
• A Guide for Friends & Family of Sexual Violence Survivors
• Prevent Child Sexual Abuse: Facts about sexual abuse and how to present it
• Understanding Children’s Sexual Behaviors: What’s Natural and Healthy (Spanish and English)
• Do Children Sexually Abuse Other Children: Preventing sexual abuse among children and youth (Spanish andEnglish)

For Mid-School Aged Children:
• Top Ten Questions for Kids (Spanish and English)

For Parents:
• Talking To Your Children About Sex: How to use open discussions about sex, privacy, respect and values to prevent the sexual abuse and exploitation of children and teens (Spanish and English)
• Parent Empowerment (Spanish and English)
• Male Victims of Rape (Spanish and English)
• From Victim to Survivor (Spanish and English)
• Sexual Abuse of Persons with Developmental Disabilities
• Overcoming Painful Past Experiences (Spanish and English)
• A Guide for Friends & Family of Sexual Violence Survivors
• Prevent Child Sexual Abuse: Facts about sexual abuse and how to present it
• Understanding Children’s Sexual Behaviors: What’s Natural and Healthy (Spanish and English)
• Do Children Sexually Abuse Other Children: Preventing sexual abuse among children and youth (Spanish and English)

For Mid-School Aged Children:
• Top Ten Questions for Kids (Spanish and English)

For Parents:
• Talking To Your Children About Sex: How to use open discussions about sex, privacy, respect and values to prevent the sexual abuse and exploitation of children and teens (Spanish and English)
• Parent Empowerment (Spanish and English)
• Male Victims of Rape (Spanish and English)
• From Victim to Survivor (Spanish and English)
• Sexual Abuse of Persons with Developmental Disabilities
• Overcoming Painful Past Experiences (Spanish and English)
• A Guide for Friends & Family of Sexual Violence Survivors
• Prevent Child Sexual Abuse: Facts about sexual abuse and how to present it
• Understanding Children’s Sexual Behaviors: What’s Natural and Healthy (Spanish and English)
• Do Children Sexually Abuse Other Children: Preventing sexual abuse among children and youth (Spanish and English)
After a rape, it is common to feel overwhelmed, not just with the emotional and physical reactions of the rape, but with the whole idea of dealing with the criminal justice system. Victims do not report to the police for several reasons. Many fear that their names and the details of their past sexual conduct will be exposed. However, it is important for victims to understand that they do not need to be concerned with these issues. First, although some facts about their assault may be shared with the press, their names and details of the assault will not. Second, many rape cases never go to trial. Some assailants are never apprehended, and of those who are, may plea bargain to avoid a trial and possibly an even longer sentence. Third, if a case does go to trial, a victim’s past sexual history cannot be brought up unless it is relevant to the case. In the event that it is, it must be presented to the judge in a private in camera hearing, out of the hearing of the jury members, to determine if the evidence will be allowed in the trial.

Finally, it is important to realize that pursuing a prosecution can be quite an empowering feeling for a rape victim. When a woman is raped, she is placed in a situation where she feels powerless and out of control. It may take some time for her to regain the power that she lost during the act of being raped. One way that she can expedite this process is by prosecuting. After a rape, a victim has a lot more power than she probably thinks; she had the power to identify her rapist and to help put him in prison. Going through a prosecution, therefore, can help a victim regain some of the power she lost during the rape.

**You Have Survived!**

Your life may seem changed – as though you’re now in a different world. It has changed for you and the adjustments may often be difficult. Just reading this brochure is a positive step toward further survival. We’re glad you survived, and we hope you take advantage of all the people willing to help you through this.

The relationship between the rapist and the victim is insignificant. These acts are considered rape regardless of whether the offender is known (co-worker, boyfriend, minister, father, husband, brother, friend) or if the offender is a stranger. Most rapists are known to the victim – over 93% as reported by New Mexico Law Enforcement in 2007.

Rape happens to all types of people: young, old, gay, straight, outgoing, shy, wealthy, poor. It happens to people of all races, in all areas of the state (urban, rural, Native and border communities). The good news is knowing that most males do NOT rape. While men who do rape often have a history exceeding dozens of victims each, the majority of men do not ever rape. This is important to know during your healing process. Trust is difficult to come by following a rape, but not impossible.

Regardless of how, or where, or why the rape happened, you have survived a frightening, confusing and traumatizing experience. We urge you to not go through this alone. Professionals in the medical, legal, and advocacy community are ready to start you on your path to healing.

**Social Factors**

Rape victims range in age from infant to the elderly, according to national statistics. Teens 16-19 are 3.5 times more likely to be victims of rape than the general population. By the time females are 18 years of age, one of every four will have experienced some form of sexual abuse. For males, one in every six will have experienced abuse by the time they are 18.

In 2012 New Mexico law enforcement reported that 72% of criminal sexual penetration cases were perpetrated by a known person to the victim. 83% of you also will have met your assailant at least once before. Some of you will know him casually or will experience rape on a first or second date. This type of sexual assault is called non-stranger rape. It can be particularly confusing because you thought that you could trust this person and they violated that trust. Among married couples, one of every seven women are raped by their husbands. Usually, only one out of every ten victims reports her rape to law enforcement. However, in New Mexico, law enforcement report that 17% of known rapes were reported to them.
And about rapists? The vast majority of sex offenders are male. However, females also commit rape. Most men who rape are between the ages of 15 and 24. Rapists are from every walk of life, of every race and socio-economic level. Men rape out of anger, and/or a need for absolute control over someone, not because they need sex.

Their need to control, humiliate, frighten, and degrade other human beings allows them a sense of power, of being superior over at least one other person, even if it is for a very short while. Sexual assault is the tool they choose to obtain power and control.

No matter who the person was, no matter the relationship, if the sexual activity was forced, coerced or unwanted they committed rape and rape is a crime.

**What should I do?**

You have survived a violent crime. Rape can be traumatic and frightening and may affect you physically and emotionally. Every victim reacts differently to being raped.

What’s the right thing to do if you've been raped? Take care of yourself in the best way for you. For some people, that means reporting the crime immediately and fighting to see the rapist brought to justice. For others it means seeking medical or emotional care without reporting the rape as a crime. Every person is different.

There are three things that everyone who has been raped should do, though:
1. Know that the rape wasn’t your fault.
2. Seek medical care.
3. Deal with your feelings.

Whatever happened, it wasn’t your fault. No one has the right to have sex with you against your will. The blame for the rape lies solely with the rapist.

**Emotional Factors: Understanding How to Get From Victim to Survivor**

1. **You are not alone.** Rape is the most frequently committed of violent crimes. Many others have experienced what you are going through. Whatever you are thinking and feeling is common for many rape victims/survivors.

**Medical and Other Costs**

The State of New Mexico pays 100% of the evidence collection and up to $150 for injury repair, ambulance and prescriptions provided to you as a direct result of a rape. Most New Mexican hospitals bill the State. If you receive a bill, you may call the New Mexico Coalition of Sexual Assault Programs toll free at (888) 883-8020. If the bill has not been paid by the State of New Mexico, the Coalition will advise the medical agency that provided services to you to submit billing for State reimbursement.

If your medical bills (for injury repair, prescriptions, etc.) are over $150 and/or you have paid for mental health services or experienced lost wages as a result of your rape, you may apply for compensation from New Mexico Crime Victims Reparation Commission (505-841-9432). Reimbursement from NMCVRC requires that you filed a police report following your assault and that you apply within one year from the assault.

**Legal Aspects**

If you are raped, you do not need to hire your own attorney. Rape is considered a crime against the State, and therefore will be prosecuted by the District Attorney’s (DA’s) Office in the county where the crime occurred. Once you have reported the crime to the police and a suspect has been arrested, the DA decides if there is enough evidence to take your case to court (prosecute) and find the suspect guilty. If the DA does not decide to take your case, it is not because they do not believe you – rape can be very difficult to prove, and the DA’s office must feel that the evidence you and the police have brought forward is strong enough to be considered by a judge and a jury. You do not need a witness who saw your rape in order to prosecute a rape case.

If the DA’s Office is not able to take your case, you still have another legal option: you may sue your rapist in civil court. You hire an attorney who will sue the rapist for an amount of money that you feel is equal to the emotional, physical and/or actual damages (lost wages, etc.). Rape victims have successfully sued their rapists, but you will need to decide whether a law suit will be worth your time, money, and efforts.
If you must pay for an abortion, apply for compensation through New Mexico Crime Victims Reparation Commission (505-841-9432) or contact your local Crime Victims Assistance Organization.

It is important to ask your doctor or counselor for specific health information about these options so that, if you find it necessary, you can make a safe, sound choice.

4. Evidence Gathering
In addition to the previously stated concerns, the medical team at the emergency room or doctor’s office will suggest that you have a Sexual Assault Evidence Collection Kit performed. The Kit is used as part of the evidence if you decide to press charges. It is your decision whether to have evidence collected or not. This is a specimen gathering kit designed to collect different samples of blood, hair, vaginal mucus, etc. It is ideal if you are able to arrive for this portion of the medical exam in the same clothes you had on during the assault. Do not douche, brush teeth, shower or wash up before going to the hospital or doctor’s office. Your body has important information on it about the rapist, and it is important to not wash it away. The medical team will pay close attention to the parts of your body penetrated by the rapist’s penis, mouth, tongue, fingers or foreign objects. From these areas of your body, they will collect samples with a cotton swab. These samples may contain semen, blood type or a hair sample of the rapist. Samples of your hair and blood will also be collected to distinguish them from the rapist. These, in turn, may be able to be used later in legal proceedings to help connect the rapist to your attack. The clothing you wore will be collected, if you agree, and sent to a crime lab. The clothing usually contains critical pieces of evidence about the rapist.

You do not need to decide about prosecution before this rape evidence is collected. However, if the evidence is to be collected, it must be done within 120 hours after the assault. The quicker the evidence can be collected, the better samples of evidence will exist. You may agree to have evidence collected even without reporting to the police, giving yourself some time to decide about police involvement without losing the important evidence left on your body. All information in the kit remains completely confidential.

2. You kept yourself alive. Rape is often a life-threatening experience. Whatever you did to stay alive was exactly the right thing to do. Even if your attack ended in rape or other injury, you did exactly the right thing to escape from the situation with your life. Some people may be asking why you didn’t scream or fight back; when you feel threatened and fear for your life or safety, you do what your instincts tell you in order to survive.

In some instances, to not do what a rapist says – to even scream – could result in severe injury or death. There is little you can do to compensate for a rapist’s physical size, especially when the element of surprise is in his favor. If you feel guilt or self-blame, focus on the fact that above all, YOU SURVIVED!

3. You will have some reactions to your assault. The thoughts and feelings you are now experiencing result from not knowing whether you would live to see another day or not. Most of us go through life thinking that we will live a normal life span. When something happens to shatter that belief, however, the fact that you thought you faced death for even a split second will carry strong yet subtle effects with it. Having someone completely controlling your body and actions often leaves you feeling out of control in every aspect of your life following the rape. The reaction and feelings you may have now or in the near future may include some or all of the following:

- Self blame
- Putting yourself in harm’s way
- Shock or numbness – you feel nothing
- Feeling out of control
- Nightmares / Not being able to sleep
- Angry with yourself and/or others
- Restless sleep / Fear of the dark
- Dependency on familiar friends
- Depression / Disorganization
- Wondering what you did to deserve the attack
- Feeling Jumpy
- Being worried that you will never be normal again
- Denial that the rape happened
- Eating problems / Upset stomach
- Denial that the rape was serious
- Increased use of drugs or alcohol
- Fear of public places
Cynicism
Fear of being alone
Fear of new relationships
Unable to make love

4. Counseling: The Road to Healing
It is common to want to just forget what happened to you – to not think about it, to put it behind you. You will never forget it; but dealing with it, talking about it with a counselor, and learning how to get through it will make remembering much less painful. Having a qualified person to talk about the assault and your thoughts and feelings can take pressure off of handling them alone. It is important to see a counselor for awhile to help you regain your perspective on life, other people, men, and yourself. You had to endure the sexual assault alone; you don’t have to endure the after effects alone.

What you can expect. For most survivors of rape, the feelings and behaviors described will fade away between six months and a year after you begin rape counseling. You will gradually regain a sense of being in control of your own life. You may experience a time of not talking about the rape. You will be able to sleep through the night and feel positive about the future. You will learn to put the rape in perspective to the rest of your life. Part of the healing involves recognizing that the rape exists as an event in your past – an important one – but that you need to go on with the rest of your life.

How to get counseling. Call the Rape Crisis Center or Community Mental Health Center near you for more information. In New Mexico, rape crisis counseling services are free of charge at rape crisis centers and free or for very minimal charge at your local Mental Health Centers. All counseling is completely confidential, whether you have reported your assault to the police or not. See the back of this brochure for agencies in your area.

Physical Factors: The Medical Exam

The first thing someone who has just been rape should do is seek medical attention. Most communities have access to a SANE (Sexual Assault Nurse Examiner) Unit which have trained nurses to assist someone who has been raped. If a SANE Unit is not available, go to the nearest emergency department. If you choose, the SANE Unit may also collect evidence from your clothing.

You may want to have a friend or family member go along with you for support. Some rape crisis centers may provide an advocate who can be with you for the exam.

It’s important to get medical attention for the following reasons:

1. General Physical Health
Some women experience extreme physical trauma during a sexual assault. Going to an emergency room, doctor’s office or health clinic is important so that you can be checked and treated for deep bruises, broken bones, internal tears, etc. If you are in a community where a Rape Crisis Center or Sexual Assault Team exists, you may request that one of their counselors or advocates accompany you through the exam.

2. Sexually Transmitted Diseases
Syphilis, gonorrhea, herpes, chlamydia, and other vaginal infections can be contracted during sexual intercourse. Some of them can be treated and eliminated with medications. It is important to tell the health care professional in what parts of the body you were raped (vagina, anus and/or mouth), as sexually transmitted diseases can be transmitted or transferred wherever sexual contact was made. Although HIV may be transmitted sexually, there are less than a handful of reported cases of HIV infection contracted through rape. This does not mean that it absolutely won’t happen, but the chances of contracting AIDS from a single event would be rare. There are tests that can be taken if you fear AIDS might have been transmitted; however, you must wait three to six months after the assault took place to be tested.

3. Pregnancy
If you experience vaginal penetration during the assault and are physically able to conceive, you could get pregnant as a result of the rape. Some doctors will offer you morning after medication (Plan B) to prevent pregnancy from occurring. Plan B may be given up to 120 hours post assault but it is most effective when taken within 72 hours of unprotected intercourse.

Additional options for terminating a pregnancy would include an abortion. There may be an abortion clinic in your community which will perform an abortion, for you as a rape victim, at no charge or at a greatly reduced fee.