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## Victim Rights Law Center

### Screening for the Civil Legal Needs of Sexual Assault Victims

*Although the sample screening questions below are by no means an exhaustive list, they may be helpful in starting a conversation with a victim of sexual assault about her or his potential civil legal needs. Ideally, the service provider can use these questions as a base to build off of in the intake with the victim.*

#### Privacy

- To whom have you disclosed to already, if anyone?
- Who are you most afraid of finding out about the sexual assault?
- What information are you most concerned about protecting?
- Are there any medical or mental health/counseling records you are concerned about protecting?

#### Physical Safety

- Do you know the assailant? If so, how long have you known the assailant?
- Are you afraid that the assailant will attempt to harm you again or that s/he poses an ongoing threat to your safety?
- Has the perpetrator attempted to contact you since the assault?
- Is the assailant in your employment, education, or housing environment?
- In what other contexts might you have contact with the assailant?
- Do you think the assailant will retaliate if you report the assault to law enforcement or other authorities?
- Does the perpetrator have access to your personal identifying information?
- Where you live?
- Phone number(s)?
- Social security number?
- Were explicit verbal threats made by the assailant before, during or after the assault?
- Have you talked to anyone about safety planning?

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### **Immigration**

- What is your relationship to the assailant?
- What is your legal status in the United States?
- Do you know the legal status of the assailant?
- When did you enter the United States?
- Do you have any family members that are Lawful Permanent Residents or United States citizens?
- Have you reported the crime to law enforcement?
- Are you cooperating with the investigation?
- Have you been convicted of any crimes?

### **Education**

- Did the assault happen at school?
- Is your school private or public?
- Are you in high school or college?
- If in high school, do you have an Individualized Education Plan (IEP) or do you receive any special education services?
- Have you disclosed the assault to any school authorities, faculty, counselors or campus law enforcement?
- If s/he is under the age of 18, has s/he told anyone who may be a mandatory reporter about the assault?
- If s/he is under the age of 18, is the state agency designated to oversee abuse and neglect of minors involved? How? How are mandatory reporters and/or the mandatory reporting process involved, if at all?
- Has school been difficult since the assault?
- If in college, have you filed a formal charge against the assailant with the university in its disciplinary process?
- Is the assailant on campus, in your dorm, or in your classes?
- What remedies or accommodations do you need and in what priority?
  - Do you want to remain at the school?
  - Do you want to take some time off?
  - Do you need to change her/his class schedule as a result of the assault?
  - Do you need to postpone exams as a result of the assault?

### **Employment**

- Are you currently employed?
- Did the assault happen at or near work?
- Is the assailant a co-worker or supervisor?
- When did the assault occur?
- What kind of employment do you have (i.e. employee-at-will, contractor, consultant, part time/full-time)?
- How large is the business/organization? How many employees?
- Do you have an employee handbook, personnel manual or collective bargaining agreement?
- What kinds of disability, vacation and health benefits are provided by your employer, if any?
- Has work been difficult since the assault?

- What remedies or accommodations do you want, and in what priority?
  - Do you want to stay at work?
  - Do you want to take time off?
  - Do you want to relocate to a different office and/or move offices within the current building?
  - Do other people at work know about the assault?
  - Has this made the work environment uncomfortable for you?
- Prior to the assault, how has your work performance?

### **Housing**

- Did the assault happen at or near your home?
- Is the assailant a neighbor, tenant, or landlord?
- What type of housing do you have?
  - Public
    - What type of public housing?
  - Private
    - Own? Rent?
- Do you have a lease?
- Do you feel safe at your home?
- Do you want to relocate or would you rather remain at the original location with added safety precautions?

### **Financial Compensation**

- Use the state's Crime Victim Compensation Program application to screen:
  - Medical bills?
  - Counseling costs?
  - Pharmacy/prescription costs?
  - Lost wages or lost job?
  - Lost financial aid or tuition?
  - Moving expenses?
  - Increased child care expenses?
- Did you incur expenses as a direct result of the sexual assault?
- Do you anticipate future expenses from the assault, such as counseling or medical costs?
- Have you reported the assault to law enforcement?

### **Criminal**

- Have you reported to law enforcement?
  - What information did you disclose?
  - Did you leave out any information or provide false information to law enforcement?
  - Did you sign any type of release for your personal information (i.e. medical records)?
  - Has the District Attorney contacted you?
- If you have not yet reported the assault to law enforcement, are you considering reporting?
- Did you go to the hospital following the assault?
  - Did you have a rape kit done?
  - Did you receive Emergency Contraception?
  - Did you have a toxicology screen done?
  - Did you receive HIV prophylaxis?

### **Civil Litigation**

Screen for tort suits against the perpetrator or third party liability so that you can refer to a tort attorney.