

**Boston Office**

115 Broad Street, 3rd Floor
Boston, MA 02110
617-399-6720 (tel)
617-399-6722 (fax)
1-877-758-8132 (toll free)

Portland Office

520 SW Yamhill Street, Suite 200
Portland, OR 97204
503-274-5477 (tel)
503-295-6679 (fax)

www.victimrights.org

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?

Preparation of this of this material was supported by grant number 2011-WT-AX-K024, awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, and conclusions expressed are those of the author(s) and do not necessarily represent the views of the U.S. Department of Justice.

© Victim Rights Law Center
2011

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.