

STATE OF ARIZONA

Recommended Guidelines for a Coordinated Community Response to Adult Sexual Assault



The Governor's Office
of Youth, Faith
and Family



A victim-centered approach should be used when assisting someone who has experienced sexual violence.

that participants in the trial are becoming distressed, emotional, embarrassed, and/or intimidated.

- Consider allowing an emotional support dog to be nearby (A.R.S. § 13-4442).
- Consider accommodations to limit contact between the victim, victim's family, and the defendant and the defendant's families.
- Consider victim input when granting motions to continue trial or hearings.

Sentencing Considerations

- Review all issues raised in pre-sentence reports and sentencing memorandum.
- Order sex offender treatment for perpetrators who are placed on probation.
- Consider the victim's impact statement(s) and any financial losses, emotional trauma, or physical damages suffered by the victim(s).
- Define and impose a specific sentence and specify any appropriate conditions (e.g., counseling, jail, fines, fees, or the duration of probation and prison terms).

Suggested Training

The following trainings are recommended for Judges working with sexual assault victims/survivors. The topics provided reflect critical fundamental concepts for court procedure; content will vary in line with current best practice. Contact the Arizona Coalition to End Sexual and Domestic Violence (602-279-2900, info@acesdv.org) for access to training information statewide.

- Dynamics of Sexual Violence
- Neurobiology of Trauma
- Rules of Evidence, especially 404(b) and 404(c)
- DNA Technologies and Evidence
- Use of Expert Testimony
- Understanding Rape Shield Laws
- Necessity Hearing for Clearing the Courtroom
- Consider the use of jury questionnaires and/or specialized questions, and/or individual voir dire to address sensitive topics with jurors.
- Crime Victims' Rights

Culturally-Responsive Considerations

A victim-centered approach should be used when assisting someone who has experienced sexual violence. A critical aspect of this approach is considering and appropriately accounting for the circumstances of the violence and the identity of the survivor, including unique vulnerabilities based on identity or status, accessibility needs, and cultural influences. The following considerations and recommendations are not exhaustive, but are intended to increase awareness and provide basic information for a more culturally-sensitive sexual assault response.

Immigrant Victims/Survivors

There is limited data regarding immigrant experiences of sexual assault, however the prevalence rate is believed to be high and underreported.³⁹ Sexual harassment and assault are common in workplaces where employees are predominantly immigrants, including farming and janitorial work.⁴⁰ Immigrants may face social isolation, cultural barriers, financial dependency, and fear of deportation, putting them at higher risk for sexual victimization.

There are many important considerations when working with immigrant survivors. Immigrant survivors may have language barriers preventing them from seeking



services or knowing what services are available. Many do not know their rights as victims and, if undocumented, may fear deportation and other legal consequences from reporting. Additionally, cultural factors may influence the decision to report or disclose victimization. Survivors may be reluctant to access mainstream or governmental services, and may face pressures stay silent and "keep it in the family." Immigrant survivors may also fear that reporting could lead to retaliation from their community or loss of economic support.

When working with immigrant survivors, it is important to provide clear information, in multiple languages, about what services are available to immigrants and to use translation and interpreting resources, such as Language Line. Ask immigrant survivors questions about potential cultural and community barriers they have, as not all immigrant communities are the same. For survivors with legal and/or deportation concerns, connect them with an immigration attorney who can assist with VAWA protections, U-Visas, and T-Visas. It is critical to build relationships and work with community partners from immigrant communities to improve service provision and trust.

Hispanic/Latin Victims/Survivors

The Hispanic/Latin population is at high risk for sexual violence in the U.S. Approximately 15% of Hispanic women have reported experiencing rape or attempted rape in their lifetime, and 26.9% have

³⁹ Mindlin, J., Orloff, L.E., Pochhiraju, S., Baran, A., & Echavarría, E. (2013). Dynamics of sexual assault and the implications for immigrant women. *Empowering survivors: Legal rights of immigrant victims of sexual assault* (pp. 1-24). The National Immigrant Women's Advocacy Project.

⁴⁰ Taddonio, P. (2017). Meet the immigrant women who spoke out about sexual abuse at work. *PBS*. Retrieved from: <https://www.pbs.org/wgbh/frontline/article/meet-immigrant-women-who-spoke-out-about-sexual-abuse-at-work/>