

University of West Georgia
Police Department
Confidential Sexual Assault Reporting Form

For use as an Anonymous Self Reporting Form and by University Officials on behalf of a victim that wishes to remain Anonymous.

Purpose: This form is to be used when a victim of sexual assault does not wish to make a formal police report. The information gathered from this form is confidential and will be used for one or more of the following purposes.

Report the incident in the University crime report as required by Federal Law. Improve physical security and procedures where warranted. Investigative follow-up with similar reported cases.

Please complete the form thoroughly and deliver or mail through interoffice / US mail addressed to the Chief of Police. Please Seal the envelope and mark Confidential. Mail to:

University of West Georgia Police Department
1601 Maple St
Carrollton, Georgia 30118

Type of Assault (Circle all that apply – definitions may be found on the bottom of this form. If the assault was attempted but not completed, mark Criminal Attempt as well.)

1. Rape
2. Aggravated Sodomy (oral/anal)
3. Sexual Battery
4. Sexual Assault w/ Object
5. Criminal Attempt

Location: On Campus _____ or Off Campus _____

On Campus exact location: _____

Off Campus exact location: _____

Incident Date: _____ *Incident Time:* _____

Victim's Gender: Male: _____ Female: _____ *Victim's Age*

Define Relationship: Stranger to Stranger _____ Acquaintance _____ Unknown _____

Assailant's Gender: Male: _____ Female _____ *Assailant's Age* _____ *Assailant Race* _____

Assailant's Height Ft: _____ *in:* _____ *Weight* _____

Was the victim physically injured? : Yes _____ No _____

If yes, briefly describe the injury: _____

Did the victim receive medical attention? Yes _____ No _____.

Was victim under the influence of drugs (Yes /No) alcohol (Yes /No) or both (Yes /No)

If intoxicated, was the victim's intoxication involuntary (Yes/No)?

If yes, how was the drug induced? _____

Was the Assailant under the influence of drugs (Yes/No), alcohol (yes/No) or both (yes/no)?

Reporting University Official: _____ Date: _____

Definitions

- 1. Sexual Assault**"- is not a legal term, but is used in this protocol as an all encompassing term which refers to a) any sexual act performed against a victim's will involving the victim's and/or assailant's sex organs, mouth, anus, or a foreign instrument, and b) any sexual act performed with, or in the presence of, a person under the age of 16. Specifically, in Georgia we are dealing with the crimes of rape, aggravated sodomy, aggravated sexual battery, statutory rape, child molestation, and aggravated child molestation. The definition of these and other related offenses are as follows:
- 2. Rape (O.C.G.A. 16-6-1) -** (a) A person commits the offense of rape when he has carnal knowledge of: (1) A female forcibly and against her will; or (2) A female who is less than ten years of age. Carnal knowledge in rape occurs when there is any penetration of the female sex organ by the male sex organ. The fact that the person allegedly raped is the wife of the defendant shall not be a defense to a charge of rape. (b) A person convicted of the offense of rape shall be punished by death, by imprisonment for life without parole, by imprisonment for life, or by a split sentence that is a term of imprisonment for not less than 25 years and not exceeding life imprisonment, followed by probation for life. Any person convicted under this Code section shall, in addition, be subject to the sentencing and punishment provisions of Code Sections 17-10-6.1 and 17-10-7. (c) When evidence relating to an allegation of rape is collected in the course of a medical examination of the person who is the victim of the alleged crime, the law enforcement agency investigating the alleged crime shall be responsible for the cost of the medical examination to the extent that expense is incurred for the limited purpose of collecting evidence.
- 3. Aggravated Sodomy (O.C.G.A.16-6-2)-** (2) A person commits the offense of aggravated sodomy when he or she commits sodomy with force and against the will of the other person or when he or she commits sodomy with a person who is less than ten years of age. The fact that the person allegedly sodomized is the spouse of a defendant shall not be a defense to a charge of aggravated sodomy. 2) A person convicted of the offense of aggravated sodomy shall be punished by imprisonment for life or by a split sentence that is a term of imprisonment for not less than 25 years and not exceeding life imprisonment, followed by probation for life. Any person convicted under this Code section of the offense of aggravated sodomy shall, in addition, be subject to the sentencing and punishment provisions of Code Sections 17-10-6.1 and 17-10-7. (c) When evidence relating to an allegation of aggravated sodomy is collected in the course of a medical examination of the person who is the victim of the alleged crime, the law enforcement agency investigating the alleged crime shall be financially responsible for the cost of the medical examination to the extent that expense is incurred for the limited purpose of collecting evidence.
- 4. Sexual Battery (O.C.G.A. 16-6-21.1)-** (a) For the purposes of this Code section, the term "intimate parts" means the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female. (b) A person commits the offense of sexual battery when he or she intentionally makes physical contact with the

intimate parts of the body of another person without the consent of that person.

(c) Except as otherwise provided in this Code section, a person convicted of the offense of sexual battery shall be punished as for a misdemeanor of a high and aggravated nature. (d) A person convicted of the offense of sexual battery against any child under the age of 16 years shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years. (e) Upon a second or subsequent conviction under subsection (b) of this Code section, a person shall be guilty of a felony and, upon conviction thereof, shall be imprisoned for not less than one nor more than five years and, in addition, shall be subject to the sentencing and punishment provisions of Code Section 17-10-6.2.

- 5. Aggravated Sexual Battery (O.C.G.A. 16-6-22.2)** a) for the purposes of this Code section, the term "foreign object" means any article or instrument other than the sexual organ of a person. (b) A person commits the offense of aggravated sexual battery when he or she intentionally penetrates with a foreign object the sexual organ or anus of another person without the consent of that person. (c) A person convicted of the offense of aggravated sexual battery shall be punished by imprisonment for life or by a split sentence that is a term of imprisonment for not less than 25 years and not exceeding life imprisonment, followed by probation for life, and shall be subject to the sentencing and punishment provisions of Code Sections 17-10-6.1 and 17-10-7..
- 6. Statutory Rape (O.C.G.A. 16-6-3).** (a) A person commits the offense of statutory rape when he or she engages in sexual intercourse with any person under the age of 16 years and not his or her spouse, provided that no conviction shall be had for this offense on the unsupported testimony of the victim. (b) Except as provided in subsection (c) of this Code section, a person convicted of the offense of statutory rape shall be punished by imprisonment for not less than one nor more than 20 years; provided, however, that if the person so convicted is 21 years of age or older, such person shall be punished by imprisonment for not less than ten nor more than 20 years. Any person convicted under this subsection of the offense of statutory rape shall, in addition, be subject to the sentencing and punishment provisions of Code Section 17-10-6.2. (c) If the victim is at least 14 but less than 16 years of age and the person convicted of statutory rape is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor.
- 7. Child Molestation (O.C.G.A. 16-6-4.a)** a person commits the offense of child molestation when he or she does any immoral or indecent act to or in the presence of or with any child under the age of 16 years with the intent to arouse or satisfy the sexual desires of either the child or the person. (b) (1) Except as provided in paragraph (2) of this subsection, a person convicted of a first offense of child molestation shall be punished by imprisonment for not less than five nor more than 20 years and shall be subject to the sentencing and punishment provisions of Code Sections 17-10-6.2 and 17-10-7. Upon a defendant being incarcerated on a conviction for a first offense, the Department of Corrections shall provide counseling to such defendant. Except as provided in paragraph (2) of this subsection, upon a second or subsequent conviction of an offense of child molestation, the defendant shall be punished by imprisonment for not less than ten years nor more than 30 years or by imprisonment for life and shall be subject to the sentencing and punishment provisions of Code Sections 17-10-6.2 and 17-10-7; provided, however, that prior to trial, a defendant shall be given notice, in writing, that the state intends to seek a punishment of life imprisonment. (2) If the victim

is at least 14 but less than 16 years of age and the person convicted of child molestation is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor and shall not be subject to the sentencing and punishment provisions of Code Section 17-10-6.2.

- 8. Aggravated Child Molestation (O.C.G.A. 16-6-4.c)** a person commits the offense of aggravated child molestation when such person commits an offense of child molestation which act physically injures the child or involves an act of sodomy. (d) (1) Except as provided in paragraph (2) of this subsection, a person convicted of the offense of aggravated child molestation shall be punished by imprisonment for life or by a split sentence that is a term of imprisonment for not less than 25 years and not exceeding life imprisonment, followed by probation for life, and shall be subject to the sentencing and punishment provisions of Code Sections 17-10-6.1 and 17-10-7. (2) A person convicted of the offense of aggravated child molestation when:(A) The victim is at least 13 but less than 16 years of age;(B) The person convicted of aggravated child molestation is 18 years of age or younger and is no more than four years older than the victim; and (C) The basis of the charge of aggravated child molestation involves an act of sodomy.
- 9. Incest (O.C.G.A. 16-6-22)** (a) A person commits the offense of incest when the person engages in sexual intercourse with a person to whom he or she knows he or she is related either by blood or by marriage as follows:
- (1) Father and daughter or stepdaughter;
 - (2) Mother and son or stepson;
 - (3) Brother and sister of the whole blood or of the half blood;
 - (4) Grandparent and grandchild;
 - (5) Aunt and nephew; or
 - (6) Uncle and niece.
- (b) A person convicted of the offense of incest shall be punished by imprisonment for not less than ten nor more than 30 years; provided, however, that any person convicted of the offense of incest under this subsection with a child under the age of 14 years shall be punished by imprisonment for not less than 25 nor more than 50 years. Any person convicted under this Code section of the offense of incest shall, in addition, be subject to the sentencing and punishment provisions of Code Section 17-10-6.2.