

Sexual assault advocates, attorneys weigh in on Cosby effect

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NASHVILLE, TN (WSMV) -

Just days after celebrity comedian Bill Cosby was ordered to stand trial in his sexual assault scandal, those involved in helping sexual assault victims are weighing in on why some wait years before telling anyone and how that can impact their case in court.

Dozens of women have accused Cosby of sexual assault, many waiting decades before coming forward with their stories.

"Factors that may prohibit someone from disclosing is fear of not being believed, a desire to maybe protect the perpetrator or fear of the perpetrator," said Jessica Labenberg, the advocacy services coordinator with the Sexual Assault Center in Nashville.

One Cosby assault case that is 12 years old will now head to trial.

Labenberg explained more about how victims can wait years before disclosing or reporting the assault.

"What can happen sometimes that's very common with trauma is that we have the memory is stored differently in our brains, and we may not know it's there," Labenberg said.

To get a better perspective on prosecuting assaults not reported for years, Channel 4's Briona Arradondo spoke with an attorney from the Davidson County District Attorney's Office.

"The delay can obviously weaken the prosecution, but that's something that we determine on a case-by-case basis," said Assistant District Attorney Pamela Anderson.

DNA evidence that could strengthen a case may not be there, but attorneys work around that with other evidence to support the victim's story.

"Phone messages, text messages, friends and family who they may have reported it to or may have recognized a change in demeanor, essentially getting a very detailed history of the assault (helps the prosecution)," Anderson said. "It may be based on the details of the night. It may be based on credit card receipts or social media. Sometimes investigative techniques like controlled phone calls and evidence can be gathered from the offender himself."

Sexual assault victims often fear others won't believe their story, and sometimes there's just not enough evidence to prosecute.

When Channel 4 asked how the court system affects this, Anderson said the burden of proof is the greatest hurdle.

"We would never want to prosecute an innocent person, so a defendant or alleged defendant have us prove our case beyond a reasonable doubt and that is a very high standard," Anderson said.

Even if someone decides not to prosecute, advocates said healing is crucial along with educating others about verbal consent, which is a "yes" that can be withdrawn at any time.

If you are a sexual assault victim or know of anyone who needs help, the Crisis and Support hotline is (800) 879-1999. You can also find more resources at sacenter.org.

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