

Molestation in a Helpless Woman: A Clinical Forensic Case Report

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ABSTRACT--*Sexual crimes are serious crimes and evidence of violations of Human Rights (HAM). Based on data from the National Commission on Violence Against Women in 2018 in 2019 it appears that violence against women has increased by 406,178 cases, up about 14% compared to the previous year. Sexual crime is an event that is difficult to prove even though the case has been carried out an examination and collection of complete evidence. The following is a case report of a 29-year-old woman suspected of having been raped coming with the investigator bringing SPVR number: VER / A / 144 / VIII / 2019 / SPKT to the Emergency Hospital Installation Dr. Soetomo Surabaya on Friday, Agst 09, 2019. In the results of the examination of intercourse burrows were found long rips to the bottom at one, five and seven o'clock. Examination of irrigation preparations and vaginal wall swabs found spermatozoa. Sexual crime most often involves the act of intercourse that is marked by the penetration of male genital organs (penis) into the female genital organs (vagina). In an effort to prove that intercourse has taken place, Forensic Medicine has an important role in proving efforts to obtain an explanation of events that occur medically. A clear proof that there has been a medical intercourse is getting spermatozoa in the woman's intercourse in question. The article relating to this case is the Criminal Code Article 280,281,289 and 290.*

Keywords: *clinical forensic, helpless, molestation, woman*

I. INTRODUCTION

Sexual crime is one form of crime that involves the body, health, and human lives related to intercourse. Forensic medicine efforts in proving cases of sexual crimes, among others, prove the presence or absence of signs of intercourse, signs of violence, age estimates, and determine whether the victim is appropriate or able to be married or not. Sexual crimes include rape, sexual abuse, sexual harassment, adultery, sexual intercourse, and domestic violence.

According to WHO (World Health Organization) sexual violence is defined as "any sexual act, attempting to obtain sexual acts, unwanted sexual comments or acts of seduction, or actions with the aim of selling female (commercial) sexuality, using coercion, threats, harassment or force physically, by anyone regardless of the relationship with the victim, under any circumstances, not limited to the home and workplace. According to this

definition, there is a very broad range of meanings of sexual violence, ranging from sexual abuse to coercion under threat of dismissal (by false agreement), to be classified as acts of sexual violence.

Based on the Annual Note of the National Commission on Violence Against Women in 2019 which contains cases of violence against women stated that the rate of violence against women since 2010 continues to increase from year to year. The number of cases of violence against women in 2018 amounted to 406,178 compared to the previous year of 348,466 where the most prominent one as in the previous year was the domestic realm of domestic violence (domestic violence) which reached 71% (9,637). violence in the public and community sphere reached 3,915 cases (28%), where sexual violence, namely sexual abuse, ranked first as 1,136 cases, rape 762 cases and sexual abuse 394. Meanwhile sexual intercourse was 156 cases.

II. DISCUSSION

According to the victim's statement, the incident of sexual violence occurred on August 4, 2019, at 03.30 WIB. At that time the victim had just finished having sexual relations with her husband at 1:00 a.m. Victims only wear negligee without wearing underwear. After that, the victim was about to heat the vegetables at 2:30 a.m. However, because he felt responsibility, the victim returned to sleep. At 3:30, the victim felt like someone had opened the victim's genitals. The victim was shocked and saw that the victim's neighbor (the perpetrator) was already above the victim with his hand in his mouth and the other hand holding the victim's hand. The victim then kicks the offender so that the offender's grasp from the mouth moves to the foot. The victim screamed and the husband woke up. At that time, the perpetrator had escaped through the window followed by the victim's husband who was chasing the perpetrator. According to the victim's statement, the perpetrator took photos and videos of the victim's genitals while sleeping. At that time, the victim slept with her husband and child. At 23.30-00.20 West Indonesia Time (August 9, 2019), physical and internal and external genital examinations were carried out. Last contact with her husband 18 hours before a genital examination. There is no relationship with the perpetrators of sexual violence.

On physical examination found:

1. A cut wound on the upper lip of the left side of the two pieces and the right of one fruit caused by blunt force.

On Genital examination:

1. Right and left Labia mayora found no abnormalities and signs of violence. (on the outside genitals).
2. Right and left Labia minora not found signs of violence. Hymen: found a long tear to the bottom at seven o'clock to three o'clock. Found the remaining hymen from six o'clock to three o'clock.
3. The results of examination of the vaginal swab and vaginal rinse results found no sperm cells.

III. CONCLUSION

In examining cases of sexual crimes, forensic and medicolegal medical services should be carried out thoroughly and coherently. Forensic medicine efforts in proving cases of sexual crimes, including determining whether there are signs of intercourse, whether there are signs of violence, age estimates, and determining whether the victim is appropriate or able to be married or not. From the forensic examination in this case there were no definitive signs of intercourse, and no signs of violence were found.

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