

Sexual Violence, Stalking, and Relationship Violence Response Guide

Questions about this guide can be directed to the
Violence Prevention and Action Center
Division of Student Affairs
(216) 397-2175



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Legal Disclaimer

This guide is for educational purposes only. It does not constitute legal advice. The guide should not be used as a substitute for the advice of an attorney qualified to give advice in the particular areas of law to which this protocol relates. John Carroll University disclaims all liability of any kind arising out of the use of, or misuse of, the information and documents contained or referenced herein.

Statement of Purpose

Recognizing that victims of sexual violence, stalking, or relationship violence may choose to disclose their situation to a faculty, staff or administrator, John Carroll University has developed a guide to help ensure that the following occurs:

1. Students are provided with a rapid, consistent, and effective response.
2. Guidance is provided for faculty, staff, and administrators in working with victims.
3. Comprehensive services are provided to meet the needs of the victims.
4. Appropriate support is provided when working with the accused.

The guide was not designed to create a situation in which a faculty, staff, or administrator would solely handle the situation. Instead, it was created to provide faculty, staff, and administrators with the ability to respond in an effective, sensitive manner, to answer basic questions, and to provide information about reporting options and/or support services.

Working with the Victim

The Victim's Experience

Sexual assault robs its victims of their power and control. A victim has not only been physically assaulted but emotionally shaken. The emotional reactions of sexual assault victims can vary widely from intense hostility toward the attacker and eagerness for revenge to self-blame, extreme sadness, depression and anxiety. Two of the most common immediate reactions of sexual assault victims are shock and disbelief. Feelings of self-blame and guilt are also prevalent experiences of sexual assault victims. Sexual assault victims often experience a variety of physical symptoms in addition to what they are feeling emotionally. They may have difficulty sleeping or experience painful headaches or stomachaches. They may have trouble concentrating on their daily activities because of flashbacks to the assault or other new sources of anxiety. Many victims claim that being assaulted causes them to feel like they have lost a part of themselves.

Stalking creates a psychological prison that limits a victim's basic freedoms such as movement on campus and security in their room. Stalking often forces victims to change their daily routines and discontinue activities they had enjoyed in the past. Victims of stalking experience a wide range of emotions including: anxiety, fear, paranoia, feelings of guilt, self-blame, shame, isolation, low self-esteem, anger, rage, and depression. Although each victim will react differently, in most cases there is a strong sense of loss of personal safety, a constant feeling of stress, and hyper vigilance.

In relationship violence an abuser seeks to strip victims of any control over their own life. The abuser may attempt this through emotional, physical, financial, or sexual abuse and likely a combination thereof. Victims may not feel comfortable in sharing all the ways in which they have been abused. Victims of relationship violence experience a rollercoaster of emotions including: feelings of hopelessness, low self esteem, depression, fear, anxiety, isolation, guilt, shame and anger. These feelings are reinforced by the abuser through a pattern of insults and threats. Relationship violence often causes victims to feel powerless, alone and trapped in the relationship.

In cases of sexual violence, stalking, and relationship violence, victims may have difficulty identifying what is happening. Generally, their first step is to tell a friend. Their friend may or may not provide them with accurate information, resources, or helpful advice. There is sometimes pressure on victims not to report in order to prevent the accused from getting into trouble. Therefore, it is not uncommon that victims will have been enduring these behaviors for some time before reporting to any FSA or law enforcement. It is also important to realize that everyone reacts differently to sexual assault and trauma. Students may display all or none of the aforementioned reactions, and may handle their situation in a completely unique manner. Some students even express a desire to see their assailant in order to “make up” with him or her.

Making the Victim Feel Supported and Comfortable

A student disclosing his or her experience of sexual violence, stalking or relationship violence can be unexpected and catch us off guard. Despite how we may be feeling in the moment, it is important that we work to make the student feel supported and comfortable. To create a more comfortable situation, start with the physical environment. Select a private location where there will not be interruptions and others will not overhear what is being discussed. While the student is telling his or her story, always sit close enough to show your interest and concern but not so close as to invade personal space. Positioning yourself just beyond an arm’s length away from the student is a comfortable arrangement. Avoid positioning yourself between the student and the exit from the room. This way the student does not feel trapped and knows that they can leave at any time. Also, try to keep yourself at eye level with the student. This will help prevent you from taking a dominant posture with the student.

Secondly, think about your verbal response. Let the student tell the story at his or her own pace. Do not ask probing questions even if you think the student has not told you the full story. Some people will not want to recall the details that distress them the most. Others will be concerned that you will find fault with them and be judgmental and critical. Use of open-ended questions and statements to help “talk through” the situation is important. You can make comments like, “That sounds difficult”, “Is there anything else I can do to assist your right now?”, “Would you like me to accompany you to speak with a counselor, VPAC, or someone at the Student Health Center?” If you don’t project earnest interest and concern, the student may begin to “shut down” and abruptly end the discussion. If you try to empathize by telling the student about your own life experiences, you may overburden the student with your own emotions.

In your response to the student it is vitally important that you do not blame the student for the incident. Some people may want to ask such questions as “Were you drinking?”, “Why didn’t you fight back?”, “Did you lead the person on?”, or “Why didn’t you just break off the relationship?” While your initial impulse may be to ask these questions, they must be avoided. Even if you believe the student made poor decisions, consider the following:

1. Asking such questions doesn’t further the student’s recovery in any way. In fact, it probably even hinders it. Keep in mind that they may already be having feelings of self blame and asking these questions only exacerbates these feelings.
2. Asking such questions ignores the actions of the alleged perpetrator.
3. No one deserves to be abused because of their own poor choices, just as a person doesn’t deserve to be robbed because they left the door unlocked.

Finally, thank them for confiding in you and recognize how much strength that took. Be sure to convey the message that what happened to them was not their fault. Let them know what resources are available for support. However, you should allow the student to make his or her own decisions about what resources he or she accesses. By putting decisions in the student’s hands you facilitate the

regaining of control in his or her life. Additionally, ask them if there is anything you can do to help them feel safe or more comfortable.

Your position dictates that you be officially neutral at all times. An assault allegation can affect both the safety of our community and the liability of John Carroll. When supporting a victim, while you can say, "I am here to support you in whatever way I am able," you cannot say, "I support you wholeheartedly. What he did was wrong and I will help you make sure he is locked away." You are making promises that you don't have the ability to keep, which may hurt the trust relationship that you have with the student. In the course of providing options, you must strike a difficult balance between support and impartiality.

Mandatory Reporting for Faculty, Staff and Administrators

Maintaining the student's privacy while balancing the safety of the community and the mandatory reporting requirements can be challenging. You should exercise good judgment and follow any limitations on privacy set forth by the University and the State of Ohio. All employees are required to report all alleged sex offenses and all relationship violence or stalking offenses to Campus Safety Services (216- 397-1234) and/or the local police department if they are reported to you directly by the victim. Additionally, if a student discloses to you that he or she is thinking of harming him or her self, harming another person, or if the student expresses suicidal thoughts you must also report this information to Campus Safety Services. Reports should be made as soon as possible. If you are required to report the disclosure, inform the student that you are required to do so, and that your intent is not to embarrass or harm him or her in any way. You can also consider offering to have the student present when you make the report, or even have the student speak directly to Campus Safety Services. Inform the student that Campus Safety Services will probably contact him or her to gather more information about the incident. However, if the student does not wish to participate in a student conduct process or the criminal system, he or she has the right not to speak with the officer.

You are not required to report incidents for which you become aware of by way of the "rumor mill" or overhear. For example, if you hear students talking after class about a sexual assault that occurred over the weekend you are not required to report this incident. You are also not required to report incidents in which another student discloses a potential sexual, stalking, or relationship violence offense that happened to another student. However, if a student does come to you concerned about another student who he or she thinks has been victimized, it is important to offer support and resources. Make sure the student is aware of the resources on and off campus that he or she can offer to the victimized student. Suggest to the student that he or she could offer to accompany the victimized student to speak with someone about the issue. Let the student know that there is information available on the Violence Prevention and Action Center website, the Cleveland Domestic Violence and Child Advocacy Center website, and the Cleveland Rape Crisis Center website on supporting friends through these situations. Lastly, inquire if they have any concerns for their own safety or emotional well-being.

Any time you are aware of illegal behavior or behavior that may violate school policies, you should seek the assistance of a supervisor, not only for the sake of your institution's potential liability, but also for your own. If you are unclear on a particular incident/issue, make sure to consult with Dr. Sherri Crahen, Dean of Students at 216-397-4423.

Scope of the Issues

One out of four women and one out of six men will be sexually assaulted before they turn 18, and college students (ages 18-24) are four times more likely to be sexually assaulted than the general population (Fisher 2000; Briere 2003). No economic or social group is immune from this crime. It is a pervasive and troubling problem occurring with alarming frequency among both male and female students.

More than 3.4 million people are stalked annually in the United States, with females aged 18 - 24 at highest risk (Baum, et. al, 2009). Although stalking does not always include physical violence, it is a dangerous crime that calls for immediate action. Around 25% of stalking cases include physical harm or attempts to cause physical harm. In 10.3% of incidents, victims report that the stalker forced or attempted sexual contact (Baum et. al).

Relationship violence also invades our campus communities with 32% of college students reporting relationship violence by a previous partner and 21% reporting violence by a current partner (Davis 2008). Given these statistics, it is not surprising that females aged 16-24 are at greatest risk for experiencing relationship violence (Davis). It is important that relationship violence is identified as early as possible and that a support system is put in place for the victim. The unfortunate reality is that too often abusive relationships continue to escalate. The frequency and impact of relationship violence is demonstrated by the fact that over 4.1 billion dollars are spent annually on direct medical and mental health services to treat injuries (CDC 2003).

Sexual Violence Definition

John Carroll defines all forms of sex offenses in the Sex Offense section found in the Community Standards Manual (www.jcu.edu/campuslife/deanofstudents). According to JCU policy, Sexual Assault is engaging in, or attempting to engage in, oral, vaginal, or anal penetration through any means (i.e., penis, tongue, finger, foreign object, etc.) without the consent (see University Consent Standard) of the other person. Non-Consensual Sexual Contact includes any touching of any sexual body parts (i.e., breasts, buttocks, groin, genitals, mouth, etc.) or the touching of another with these body parts without consent. It also includes disrobing or exposure of another without consent. Sexual Exploitation occurs when one engages in activity of a sexual nature which involves another person, other than Sexual Assault and Non-Consensual Sexual Contact, without the other person's consent. Examples of sexual exploitation include (but are not limited to): the non-consensual filming, photographing or otherwise recording and/or transmission of sexual activity or nudity; voyeurism or complicity in voyeurism; and the knowing transmission of a sexually transmitted infection.

The University defines consent as the freely given and mutually understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity. Consent is mutually understandable when a reasonable person would consider the actions of the parties to have manifested an agreement to engage in the particular sexual activity. In the absence of mutually understandable affirmative words or actions, it becomes the responsibility of the initiator (the person who wants to engage in a specific sexual activity) to obtain affirmative consent from the other partner. Consent once given, may be withdrawn. If one partner initially offers words or actions that indicate consent, that partner may withdraw consent by indicating by word or action that consent has been discontinued. Consent for one sexual activity does not indicate consent for other forms of sexual activity. Similarly, past sexual consent does not imply future consent.

The University Sex Offense Policy also addresses a person's capacity for consent. Consent can only be given by those with capacity to consent. Minors younger than 16 do not have the capacity to consent to sexual activity. For adults, capacity to consent is on a case by case basis. Mentally disabled persons and physically incapacitated persons may not have the capacity to give consent. One may be incapacitated temporarily as a result of mental illness, unconsciousness, or as a result of alcohol or drug consumption. One may not engage in sexual activity with another person when one knows or has reasonable cause to believe that person to be incapacitated due to alcohol or drug consumption or other incapacitation. Incapacitation is defined as being in a state in which a person sufficiently lacks the cognitive ability to realize that the situation is sexual, or cannot appreciate (rationally and reasonably) the nature and/or extent of that situation. Coercion is defined as consent which is obtained through the use of fraud or force, whether by physical force, threats, or intimidation. Consent obtained through coercion is invalid.

Stalking Definition

John Carroll defines stalking as a pattern of two or more incidents of unwanted attention, harassment, contact, or course of conduct directed at a specific person that would cause reasonable persons to fear harm to their physical health, mental or emotional health, safety, friends, family or property. Stalking may include, but is not limited to telephone calls, text messaging, social networking, instant messaging, monitoring behavior, being in physical proximity to the person, leaving gifts, or taking pictures. An estimated 78% of stalkers will use more than one method while stalking their victim. Stalkers can be motivated by a desire for control, jealousy, anger, revenge, or by delusion or fantasy. On college campuses 80% of stalking victims know their stalker.

There is no profile for a stalker. They come from all ethnicities, socioeconomic levels, and personality types. However, the vast majority of researchers divide stalkers into the following main categories:

Simple Obsessional: In these cases the victim is not a stranger. The stalker begins the harassing pattern of behaviors after a perception of mistreatment or after the relationship has ended. This is the most common type of stalker.

Love Obsessional: In these cases the victim is a stranger. The stalker's pattern of harassing behaviors is aimed at making sure the victim is aware of his or her existence.

Erotomania: In these cases the stalker falsely perceives the victim as being in love with them. The stalker's pattern of harassing behaviors may also be directed toward the victim's significant other. The stalker believes people who are close to the victim get in the way of his or her love.

False Victimization Syndrome: In these cases the victim fabricates stories of being stalked. Occasionally, this person may actually be the stalker. This is the least common type of stalker.

It is important to keep in mind that stalkers may not fit into one of the categories listed above or can display characteristics from multiple categories. However, all stalkers are obsessive, possessive, intrusive, and persistent.

Identifying Stalking

Stalking can be hard to identify and often is not labeled as stalking by the victims. Therefore, it is important that we educate ourselves about stalking behaviors in order to identify a potentially harmful situation. To help create a clear picture of stalking, below is a list of things a stalker might do.

- Non-consensual communication
- Unwanted or excessive text messages, emails, Facebook postings, or instant messages
- Written letters, gifts, or any other communications that are unwanted
- Following, pursuing, waiting, or showing up uninvited at locations frequented by a victim
- Surveillance /observation, whether by physical proximity or electronic means
- Trespassing
- Vandalism
- Non-consensual touching
- Threats against a victim or a victim's loved ones
- Gathering of information about a victim from family, friends, co-workers, and/or classmates
- Manipulative and controlling behaviors such as threats to harm oneself
- Defamation or slander against the victim

Below are two examples of stalking scenarios.

Before taking Biology 101, Jason had never met his lab partner Rhonda. Jason, as is usual for him, was talkative and friendly with Rhonda and would wave to her if he saw her around campus. However, it started to seem odd to Jason how often he ran into her on campus. She seemed to be everywhere he went. She went to the dining hall at the same time as he did and would sit as close as possible to him. Jason had always gone to the workout room around 8pm and after she appeared there three times, he decided to stop going. Rhonda would also walk by where he worked on campus. Jason was starting to become really creeped out by Rhonda. He decided to stop talking to her in lab and he looked the other way when he saw her on campus. Jason had accepted her friend request on Facebook when they first became lab partners. Now that Jason had stopped talking to Rhonda, she had started to steadily make posts on his Facebook wall and send him messages. Jason unfriended her, but this only motivated Rhonda to try harder to get Jason to notice her.

Rebecca and Steven had dated for five months before she ended the relationship. Part of the reason for the break up was due to Steve's clinginess. Steven wanted to be around her as much as possible and she began to feel choked out. He would often call or text Rebecca to find out where she was and what she was doing. After the break up things got worse. Steve was texting Rebecca 10 to 15 times a day. If she did not respond he would call; sometimes his voicemails were sweet but at other times his messages were filled with anger. Rebecca's friends told her that he was coming to them distraught about the break up and would ask what he could do to get her back. Since he knew Rebecca's schedule he would sometimes show up where she was and ask to talk to her. Steven also sent flowers to Rebecca at work.

Relationship Violence Definition

Relationship Violence is defined as behavior used to establish power and control over another individual using fear, intimidation, violence, and/or threats of violence. These behaviors can include, but are not limited to, physical, verbal, emotional, financial, or sexual abuse. The term “relationship violence” may create a disconnect with someone who has not experienced physical violence. Therefore, it can sometimes be helpful to use the term “unhealthy relationship” in place of relationship violence. It is important to let students know that even though they may not be experiencing physical abuse, emotional abuse can be very damaging. Emotional abuse also has the potential of escalating to physical abuse. Victims should be reassured that all services are available to them no matter what form(s) of abuse they have experienced.

Identifying Relationship Violence

Relationship violence often occurs behind closed doors so if we do see or hear about an altercation within an abusive relationship it may only be the tip of the iceberg. There are signs that can assist us in identifying a potentially abusive relationship. To help create a clear picture of relationship violence, below is a list of some methods used by abusers to gain power and control over the victim.

- Insults
- Isolation
- Jealousy
- Possessiveness
- Intimidation
- Threats
- Manipulation
- Peer Pressure
- Minimizing / Blaming
- Controlling finances
- Sexual abuse
- Physical abuse

Below are two examples of relationship violence.

Jack and Susan have been dating for almost eight months now. The first three months were wonderful. Unfortunately, things began to go downhill. It all began after a party when Jack became really angry with Susan because she talked to another guy. His yelling and body language scared her. However, he was drunk and generally great so she decided that his reaction was due to the alcohol. A couple weeks later other things began to surface: Jack told Susan that she should not wear things that were short or tight because he wanted to protect her from other guys. He started to check her Facebook to find out what other guys she was talking to and once she caught him checking the texts on her phone. Susan confronted Jack about not trusting her. Jack apologized and told her that his last girlfriend had cheated on him and the things he did helped him to be able to trust Susan. However, Jack only became more mistrusting. Susan stopped associating with other guys altogether because she did not want to have to deal with Jack's anger. Jack also began to say things that were really hurtful and would have sex with her even when she did not want to. One night just as Susan was leaving her room to go out with her friends, Jack appeared in her doorway. He asked her to go out with him instead. As Susan told him no, he grabbed her by the arm, pulled her back into her room, slammed the door, got in her face and with his teeth clenched and said to her "never say no to me again".

After Scott and Paul had been secretly dating for about four months problems began to arise. Scott had "come out", however Paul had not. Initially, Scott was very understanding that Paul was not ready to "come out". Scott was willing to act as though they were just friends on campus and they had fun planning exciting dates off campus. However, Scott began to pressure Paul to "come out" saying he was tired of sneaking around and wanted to be able to express his feelings towards him even if they were on campus. Paul was still not ready and was particularly worried that as an RA some issues might arise with a few of the residents on his floor. Scott started to insult him for not wanting to "come out" and insisted that Paul didn't have the same level of love and commitment as he did. Paul, hurt and angry, confronted Scott about his behaviors. Scott apologized and insisted that what Paul called insults were just jokes and he promised to stop joking around about it. A couple of weeks later Scott started insulting Paul again. Scott also wanted Paul to stop his involvement with activities on campus so they could spend more time together off campus. If Paul tried to make plans with his other friends, Scott would make him feel guilty for not being as committed to the relationship. Paul decided it was time to break things off with Scott. Scott did not want to accept the break up. After his promises to change did not work, he threatened to "out" Paul to his floor if he ended the relationship.

Options and Resources For The Victim

Reporting Options

Filing a report with Campus Safety Services (216-397-1234)

Victims are strongly encouraged to file a report with Campus Safety Services, who will conduct an investigation. Offenses may be reported whether they occurred on-campus, at a University sponsored event, or off-campus. It is the practice of Campus Safety Services to report allegations of sexual violence, relationship violence, and/or stalking to the University Heights Police Department. Reports are also forwarded to the Dean of Students Office.

Filing a report with the University Heights Police (216-932-1800)

Victims may at any time report to local law enforcement. Criminal charges may be pursued after filing an initial report with UHPD. The person filing the report will be asked to give a detailed description of the event. Campus Safety Services and/or an advocate may accompany victims in filing a report at UHPD. An investigation will likely follow the report. More information on the criminal justice system can be obtained through the VPAC Program Coordinator at 216-397-CALL (2255).

Pursuing the offense through the Student Conduct System

Victims may pursue conduct action against the accused through the Student Conduct System. If a victim chooses to use this avenue, he or she will be asked to make a formal statement, if one has not already been made. The accused will also be given the opportunity to give a statement. The Student Conduct Administrator will meet separately with both the victim and the accused to explain the conduct process. Both the victim and the accused may have an advisor (excluding legal counsel and or parent/guardian) accompany him or her throughout the process. The University reserves the right to issue a no-contact directive to the students involved. Victims who report incidents of relationship violence, and/or stalking which occurred while engaged in underage drinking or illicit drug use will not be held responsible for violating the university alcohol and drug policy. For more information on the Student Conduct Process contact the Dean of Students Office at 216-397-3010 or the VPAC Program Coordinator at 216-397-CALL (2255).

Third Party Reporting

A third party may witness or be made aware of incidents of sexual violence, stalking, or relationship violence. A third party has the option of reporting to Campus Safety Services or University Heights Police. If Campus Safety Services or University Heights Police plans to speak with the accused it is very important that the victim be made aware of this. Some stalkers / abusers become more violent or angry after a report is made, therefore the victim needs to be given ample notice in order to prepare a safety plan in the event of retaliation. If the third party reporter is uncomfortable speaking with the victim, does not know the victim, or wants to remain anonymous they can request that Campus Safety Services or University Heights Police notify the victim.

Safety Planning

Safety planning is a vital part in the process of working with victims of sexual violence, stalking, or relationship violence. You may encounter a victim who does not believe that he or she is in any danger. While that may be true in some cases, incidents of stalking and relationship violence are very unpredictable. In fact, the most dangerous time in an abusive relationship is after the victim has ended the relationship. Therefore, it is best practice to encourage the victim to create a safety plan in case it may be needed. Safety plans should be updated as schedules or situations for the victim or the accused change. The Violence Prevention and Action Center (216-397-2175) or the Domestic Violence and Child Advocacy Center (216-391-4357) can assist a victim in developing a personalized safety plan.

Stalking Log

Victims of stalking are encouraged to keep a log or journal to record each incident. Key information to record includes: date, time, location, witness(es), description of the incident, to whom it was reported, and the impact it had on the victim. An example of a stalking log can be found at <http://www.jcu.edu/vpac/stalking.htm>. If the victim does decide to report to Campus Safety Services or local law enforcement the information in the log will be very beneficial.

Civil Protection Orders

A Civil Stalking or Sexually Oriented Offense Protection Order or a Civil Domestic Violence Protection Order can be ordered by a court in an effort to protect the victim by preventing further violence. A court can use the civil protection order to mandate the stalker / abuser to stay away from the victim and to not have any form of contact with the victim for up to five years. Civil protection orders are enforceable by law enforcement. If the stalker / abuser violates the order he or she can be arrested, jailed, or fined. Civil protection orders are free to obtain. For more information about civil protection orders contact the VPAC program coordinator at 216-397-2175.

On Campus Support Resources

Safe Space: Violence Prevention and Action Center: 216-397-2255(CALL)

The Violence Prevention and Action Center (VPAC) offers an immediate and supportive response to incidents of sexual violence, relationship violence, and/or stalking including: crisis intervention, hospital accompaniment, safety planning, transportation, assistance understanding and navigating through the student conduct or criminal justice system, assistance with academic and residence life accommodations, resources, and referrals.

University Counseling Center: 216-397-4283

Counseling services are provided free of charge to students enrolled at the university. Information shared in counseling sessions and counseling records are kept confidential in accordance with Ohio state law and professional ethical standards. Our services include:

- Individual counseling: Students can receive short-term, individual counseling support for a wide variety of issues and concerns.
- Consultation services: Faculty, staff, parents, and students who are concerned about someone else can consult with staff.
- Psychiatric services: A contracted psychiatrist is available at the counseling center every week to provide assessment and medication monitoring for students engaged in counseling services.
- Referrals: We provide referral information and can help connect students to support services both on and off campus, including community agencies.

An appointment can be scheduled anytime Monday through Friday between 9:00 a.m. and 5:00 p.m. Emergency consultation time is offered each day to assist students experiencing an urgent concern or crisis.

Student Health Center: 216-397-4349

The student health center offers a safe, confidential area for a student to meet with a nurse for support and immediate medical care for injuries or concerns of the student. The nurse will listen to the student's concern and offer on and off-campus resources with options for follow up health care. The health center is open Monday through Friday between 8:30 a.m. and 5:00 p.m.

Campus Ministry: 216-397-4717

Campus Ministry provides a safe space both within the department, as well as in the residence halls. The staff is available to offer emotional and moral support to the student(s) involved. Resident Ministers serve as a pastoral presence, offering support which can include accompanying students in reporting an incident, visiting VPAC or the JCU Health Center, or in seeking off campus services.

Off Campus Support Resources

The Domestic Violence and Child Advocacy Center: 24 hour Hotline - 216-391-HELP (4357)
Services provided include: crisis intervention, safety planning, referrals, shelter, justice system advocacy, support groups, and supervised visitation.

Cleveland Rape Crisis Center: 24-hour hotline 216-619-6192

Services provided include: hospital advocacy, justice system advocacy, individual and group therapy, support groups and case management.

Rape, Abuse, Incest National Network: 1-800-656- 4673

www.rainn.org

National Teen Dating Abuse Helpline: 1-866-331-9474

www.loveisrespect.org/

Medical Resources

Any student who has experienced a physical assault should be encouraged to seek medical attention. You should inform the student that even if there are no visible marks, internal injuries may have been sustained.

If a student discloses an incident of sexual violence and the assault occurred within the last 72-96 hours, time is of the essence for seeking medical attention through a hospital emergency room with the ability to collect medical evidence from a sexual violence victim. The window for collecting evidence by way of a medical/forensic exam (evidence collection kit) expires approximately three days after the assault. If the incident was longer than four days ago, you should encourage the student to seek medical attention in the form of testing for HIV, STIs, and possibly pregnancy. As important as collecting medical evidence and testing can be, you must remember not to make any decisions for the student.

The best place for a student to go for a comprehensive medical examination is a hospital emergency room with a specialized forensic medical staff. Many hospitals refer to these individuals as Sexual Assault Nurse Examiners (SANE). With their specialized training, these health care professionals will likely have additional sensitivity toward both the physical and emotional needs of a sexual assault victim. Before going to the hospital, you should remind the student that evidence will be collected most effectively if the student has not engaged in grooming or personal hygiene activities following the assault. Students should wait until after the hospital visit before combing their hair, brushing their teeth, using the restroom, smoking, or showering. If the student is willing, he or she should remain in the clothing worn at the time of the assault. If the student insists on changing clothes before going to the hospital, emphasize the importance of preserving the clothing worn during the assault as evidence. Each item of clothing should be placed into a separate paper bag and taken to the hospital with the student.

In Ohio, hospitals are required to contact police in the jurisdiction where the alleged assault took place. Because reporting is mandatory in Ohio, a police officer may be called to the hospital to interview the student and start the investigatory process. You should let the student know that there is no obligation to speak to the police or any other legal authority at the hospital or anytime thereafter. The student may wish for a friend, family member, or rape crisis counselor to accompany him or her to the hospital for support. A support person is always allowed to be present. The Program Coordinator from JCU Safe Space: Violence Prevention and Action Center may be available to accompany the victim to the hospital. Contact the 24-hour hotline at 397-2255 to reach the Program Coordinator.

Hillcrest Hospital

SANE program is the closest in proximity to John Carroll
6780 Mayfield Road
Mayfield Heights, OH 44124
440-312-4500

John Carroll Student Health Center

Located in the basement of Murphy Hall
Free pregnancy testing is available. STI and HIV testing is also available.
There is a charge for these tests.

Free Medical Clinic of Greater Cleveland

Provides free pregnancy, STI and HIV testing.
12201 Euclid Ave, Cleveland OH 44106
216-721-4010

Campus Safety Services Response

Campus Safety Services (CSS) employs certified police officers who are trained and experienced in working with people who have experienced stalking and sexual or relationship violence. CSS can be contacted 24/7 at 216-397-1234, and the office is in Rec Plex lower level room 14.

If an incident is in progress, or there is an immediate concern for safety, CSS should be contacted immediately to respond to the scene. Officers will take action necessary to ensure safety, identify and attend to physical or emotional trauma and coordinate response with other first responders. If there is no immediate safety concern, FSAs who witness or are told by the victim of an incident (s) of sexual violence, stalking, or relationship violence are required to report the incident(s) to CSS. This includes instances where one is unsure if an incident(s) is actually one of these offenses.

* Anytime a student speaks to a CSS officer, he or she may have a support person present.

If a person believes he or she has been a victim, witness or even perpetrator of stalking, relationship or sexual violence CSS will thoroughly and impartially investigate the matter. CSS will take action to provide for the immediate and longer term safety of a victim and witness if needed. This includes issuing “no contact” letters to involved parties instructing them to cease contact with others involved in the incident, and may provide for additional restrictions. Safety planning for on and off campus, escorts and other safety accommodations can be provided in coordination with Residence Life, the VPAC Program Coordinator and other campus and community resources.

CSS will examine the facts of the case through interviews, physical evidence, and consideration of other information gathered to determine if a crime has occurred, and if so, what crime. Additionally, CSS will recommend to the Student Conduct Office violations of the student code of conduct that may have occurred.

In the course of an investigation, persons identified as a victim, witness or other involved person may be interviewed more than once and asked to provide a written statement. Campus and local support services will be offered and explained. Available options will be explained at the beginning and throughout the investigative process. These options include:

- further reporting to another appropriate city police agency for possible criminal charges
- reporting for Student Conduct purposes only
- reporting at another time
- no further reporting

A person identified as a potential suspect will have different options, but will have similar access to local police and Student Conduct processes.

Depending on circumstances, CSS may be obligated to share information with another police agency should it be determined that a particular crime occurred in that jurisdiction. It should be noted that once notified of a potential serious crime, a police agency may choose to investigate and a city or county prosecutor may choose to prosecute even without cooperation from a particular victim or witness. The results of the investigation may be forwarded to the appropriate police or prosecutor if criminal prosecution is a possibility.

Regardless of criminal prosecution, the investigation results will be forwarded to the Student Conduct Office for consideration. CSS works closely with the Student Conduct Office in sharing information, enforcing sanctions and maintaining confidentiality.

Student Conduct System

Working with the victim

The university encourages those who have experienced stalking or relationship violence to report these incidents to Campus Safety Services. Victims are welcome to have a friend, support person, or the Program Coordinator from VPAC with them when filing a report. Any report should be submitted as soon as possible after the event takes place, preferably within ten (10) business days. In cases of serious misconduct, the University reserves the right to act on reports no matter when they are submitted.

Victims can meet with a representative from the Dean of Students office to talk about their reporting options and the conduct process. Students can only access the conduct system if the accused is another student or employee/affiliate of the school. However, the VPAC coordinator can work with the victim to pursue charges externally if the accused is not a John Carroll student.

The Dean of Students Office staff recognizes that it takes courage for victims to pursue charges through the conduct process. Therefore, we hope that you go beyond informing students of these options and encourage them to seek support throughout the process.

There may be situations in which the student reports an incident, but then decides that he or she does not want to be involved in the conduct process. There may be cases in which it is in the best interest of the University to pursue a case to its conclusion.

Victim's Rights:

- a. The student is entitled to an explanation of all reporting options and possible resolutions.
- b. The student has the right to know the university's legal reporting requirements and to what extent their information can or cannot be kept confidential.
- c. The student is entitled to freedom from harassment or retaliation by the accused, others involved, or their supporters.
- d. The student is entitled to the use of all available internal and external support services in dealing with the aftermath of the situation.
- e. The student is entitled to object to a member of a Hearing Board for reasons of official or personal conflict of interest.
- f. The student is entitled to be present throughout the hearing, but not during the deliberation of the Student Conduct Administrator/Board.
- g. The student is entitled to the presence of an advisor from the University community or support person, excluding legal counsel and/or parent(s)/guardian(s).
- h. The student is entitled to freedom from having irrelevant personal history discussed during the conduct hearing (relevance to be determined by the Student Conduct Administrator).
- i. The student is entitled to know all information and testimony to be used in the hearing process and to view pertinent materials supporting the case.
- j. The student is entitled to present pertinent information and the testimony of witnesses, excluding character witnesses, to substantiate his/her case and to comment upon and respond to the charges against him/her.
- k. The student is entitled to propose questions to be asked of others involved with the exception of advisors.
- l. The student is entitled to the results of the student conduct proceedings.
- m. The student is entitled to make a written appeal of the disciplinary decision within five (5) business days of the date of notification of that decision. University disciplinary actions are appealed to the Dean of Students.

Working with the accused:

Students who are charged with relationship violence or stalking have rights as outlined in the code of conduct process. Campus Safety Services will be responsible for conducting investigations into allegations of stalking or relationship violence incidents. The university expects students to cooperate with the investigative process. After the investigation is complete, a report will be forwarded to the Associate Dean of Students. The Associate Dean of Students will meet with the accused to explain his/her rights and to talk about the hearing process. Those rights are listed below.

Accused Rights:

The accused student has the following rights as listed below. Students with questions about their rights are encouraged to contact the Associate Dean of Students.

- a. The student is entitled to be presumed not responsible, and to be given an explanation of the conduct system and charge(s).
- b. The student is entitled to freedom from harassment or retaliation by the victim, others involved, or their supporters.
- c. The student is entitled to the use of all available internal and external support services in dealing with the aftermath of the situation.
- d. The student is entitled to object to a member of the Hearing Board for reasons of official or personal conflict of interest.
- e. The student is entitled to be present throughout the hearing, but not during the deliberation of the Student Conduct Administrator/Board.
- f. The student is entitled to the presence of an advisor from the University community, excluding legal counsel and/or parent(s)/guardian(s).
- g. The student is entitled to remain silent (i.e. not testify against him/herself) but must be informed that if silence is maintained, the case will be decided on the evidence presented.
- h. The student is entitled to freedom from having irrelevant personal history discussed during the conduct hearing (relevance to be determined by the Student Conduct Administrator).
- i. The student is entitled to know all evidence and testimony presented against him/her and to view pertinent materials supporting the case against him/her.
- j. The student is entitled to present pertinent evidence and the testimony of witnesses, excluding character witnesses, to substantiate his/her case and to comment upon and respond to the charges against him/her.
- k. The student is entitled to propose questions to be asked of others involved with the exception of advisors.
- l. The student is entitled to written documentation of the outcome of the conduct hearing.
- m. The student is entitled to make a written appeal of the disciplinary decision within five (5) business days of the date of notification of that decision. University disciplinary actions are appealed to the Dean of Students.

Interim Actions

In accordance with the Student Code of Conduct, the University reserves the right to impose an interim suspension on any student accused of a sex offense pending the outcome of an investigation and/or conduct hearing. The University reserves the right to issue a no-contact directive to the students involved pending the outcome of a conduct hearing.

Hearing board

The Associate Dean of Students will assign alleged sex offense policy violations either to a Student Conduct Administrator (one or two person board) or the University Hearing Board.

Disciplinary Actions

A student who is found responsible for stalking or relationship violence is subject to a range of sanctions, which could include: university warning, fines, residence hall reassignment, residence hall suspension/termination, university probation, deferred suspension or expulsion. The conduct process allows both the victim and the accused to appeal a decision by a hearing body.

For more information on the Student Conduct Process contact the Dean of Students office at 216-397-3010 or the VPAC program Coordinator at 216-397-2175 or 216-397-CALL (2255)

Residence Life Response

All Resident Assistants (RA) receive training on responding to incidents of sexual violence, stalking, and relationship violence. If a student discloses an incident, the RA will first assure the safety of the individual by gathering quick and necessary information to assure that there is no immediate danger. The RA is to then call the Area Coordinator On-Call for further evaluation and response. The Area Coordinator will evaluate and determine whether or not to notify Campus Safety Services and/or the program Coordinator for the Violence Prevention and Action Center.

When the victim and the alleged perpetrator reside in the same University residence or in close proximity, or if there is a safety concern, accommodations can be made. If the student is interested in what options may be available to them they should contact their Area Coordinator or the VPAC Program Coordinator. The Office of Residence Life will work with the Dean of Students Office and Campus Safety Services as well as any other offices to establish sanctions or preventative measures such as no-contact orders, bans from campus, etc. The Office of Residence Life will continue to work with these offices and the student to ensure safe housing for their remaining time in the University residence halls.

If the victim currently lives on campus in the residence halls and desires to move off campus for their safety or emotional stability they have the option of filing a housing contract appeal. The appeal will be reviewed by the housing contract appeal board who will make a final determination on whether or not to allow the student out of their housing agreement with the Office of Residence Life.

Academic Response

When a student has experienced an incident of sexual violence, stalking, or relationship violence they are often met with several challenges that interrupt their academic routine. The student may have to miss class(es) due to medical appointments, meetings with detectives, or court appointments. There are also other factors that can prevent a student from coming to class, concentrating in class, or focusing on academic assignments outside of class. These factors include such things as: fear of seeing the accused student, trauma, depression, and anxiety. Students experiencing post traumatic stress syndrome or other psychological disabilities may be eligible for additional academic accommodations through Services for Students with Disabilities.

Concerns about the impact these interruptions could potentially have on their academic performance create additional anxiety for the student. It is helpful to inform the student that the University will make an effort to work with them on academic accommodations when reasonably available. Below are the steps a student can take to begin the process.

1. If the student misses class due to a medical appointment, a letter from the doctor should be submitted to the appropriate Assistant Dean's Office. The Assistant Dean will notify the appropriate faculty. Whether or not to excuse the absence is at the discretion of each individual faculty member.
2. If the student misses class due to trauma, a request for an excused absence from the Dean of Students Office should be forwarded to the appropriate Dean who will forward it to the appropriate faculty. Whether or not to excuse the absence is at the discretion of each individual faculty member.
3. If the victim student and accused student are in the same class, different options may be available. The student should meet with the Assistant Dean of their respective school to discuss these options.

If the accused student is found responsible through the Student Conduct System there may be a possibility for the victim student to receive priority scheduling in order to avoid being in the same class or lab as the accused student. To inquire about these possibilities, the student should contact the Dean of Students Office or the VPAC Program Coordinator. If this is an accommodation that the University deems appropriate, a letter from the Dean of Students Office needs to be sent to the Registrar stating that the student is to receive priority scheduling. The letter should state specifically when the priority scheduling needs to begin. The student requesting the accommodation should be aware that a new letter will need to be submitted each semester for as long as priority scheduling is needed. It will then be the student's responsibility to check his or her time ticket through Banner to find out what day he or she can schedule.

For more information on academic accommodations, the student should contact the Assistant Dean of their respective school or the VPAC Program Coordinator.

Removal/change of victim's personal information

Students have the right to change their directory information, which can be done through Banner Web.

Working with the Accused

Someone who has been accused of committing sexual violence, stalking, or relationship violence or is unsure if they have committed a crime or a violation of the University's Code may also seek assistance from the University. Your professionalism is critical, and you should provide options and support to this person as well. In some ways, the options you provide to the accused student are quite similar to those you provide to the victim. It is your obligation to provide neutral support for this person.

The accused student is entitled to a similar set of rights as the victim student. You can tell the accused student that they have the right to consult with an attorney at their own expense. If the accused student has questions about the Student Conduct System they should contact the Associate Dean of Students (216-397-3010). Also, you can offer the accused student a copy of the Community Standards Manual and help locate the state laws that could affect his or her situation. An accused student may be required to face civil, criminal, and/or campus charges, depending on where a complaint is filed.

The accused student has the right to an advisor throughout the Student Conduct System process. An accused student may request that you be his or her advisor. If you would like more information on the responsibilities of an advisor contact the Associate Dean of Students (216-397-3010).

Counseling and emotional support from a trained professional would be helpful for someone who has been accused of committing sexual violence, stalking or relationship violence. Communications with a certified counselor will most often be confidential for the accused, as long as the individual doesn't threaten to harm anyone, including him or herself, or the alleged victim isn't a minor. Confidentiality can be negated if a sexual assault involves the victimization of a child or minor, as defined by state regulations and laws. The only truly confidential resource is likely to be an attorney. The University Counseling Center is available for students that have been accused of sexual violence, stalking, or relationship violence.

University Counseling Center: 216-397-4283

Counseling services are provided free of charge to students enrolled at the university. Information shared in counseling sessions and counseling records are kept confidential in accordance with Ohio state law and professional ethical standards. Our services include:

- Individual counseling: Students can receive short-term, individual counseling support for a wide variety of issues and concerns.
- Consultation services: Faculty, staff, parents, and students who are concerned about someone else can consult with staff.
- Psychiatric services: A contracted psychiatrist is available at the counseling center every other week to provide assessment and medication monitoring for students engaged in counseling services.
- Referrals: We provide referral information and can help connect students to support services both on and off campus, including community agencies.

An appointment can be scheduled anytime Monday through Friday between 9:00 a.m. and 5:00 p.m. Emergency consultation time is offered each day to assist students experiencing an urgent concern or crisis.

Campus Ministry

Campus Ministry provides a safe space both within the department, as well as in the residence halls. The staff is available to offer emotional and moral support to the student(s) involved. Resident Ministers serve as a pastoral presence, offering support which can include accompanying students in reporting an incident, visiting VPAC or the JCU Health Center, or in seeking off campus services.

References

Briere, J. & Elliot, D.M. (2003). *Prevalence and psychological sequelae of self-reported childhood physical and sexual abuse in a general population sample of men and women*. *Child Abuse & Neglect*, 27, 1205–1222

Davis, Antoinette, MPH. (2008). *Interpersonal and Physical Dating Violence among Teens*. The National Council on Crime and Delinquency Focus.

Fisher, B.S., Cullen, F.T., Turner, M.G. (2000). *The sexual victimization of college women*. Washington, DC: U.S. Department of Justice, Office of Justice Programs.

Katrina Baum, Ph.D., Shannan M. Catalano, Ph.D., Michael R. Rand, Kristina Rose. (2009). National Crime Victimization Survey. *Stalking Victimization in the United States*. US Department of Justice Bureau of Justice Statistics Special Report, NCJ 224527.

National Center for Injury Prevention and Control. (2003). *Costs of Intimate Partner Violence Against Women in the United States*. Atlanta, GA: Centers for Disease Control and Prevention.



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