

# Steps to Follow If an Offense Occurs

If you believe you are the victim of sexual assault or relationship violence (including dating violence, domestic violence, stalking or sexual exploitation), you are encouraged to take the following steps:

1. Seek a safe place and call the police or Campus Safety & Security (CS&S). Information about reporting is found below.
2. Seek immediate medical attention. A medical examination is important to diagnose and treat any injuries (including internal injuries) or infections which may have resulted from the incident. Getting a medical examination does not mean that individuals are required to report the incident to the police or the university; however, the hospital may retain forensic examination information as part of the medical record and may contact a law enforcement agency to provide the agency with the evidence kit. The forensic examination information may be helpful if individuals should choose to report to police or the university or otherwise seek to enforce their rights.
3. Try to avoid the following pending a medical examination:
  - a. Washing anything (including hands, mouth, and face) or showering;
  - b. Going to the bathroom, brushing teeth, eating, drinking, douching, or changing clothes.
4. It is recommended to bring an extra set of clothes to the hospital. Time sensitive steps: Some actions are more effective or only may be taken within a few days after an incident of sexual harassment. Individuals may wish to consult with medical personnel quickly regarding these items:
  - a. Preventative treatments for pregnancy and sexually transmitted infections
  - b. Evidence collection
  - c. Toxicology testing if there are signs that drugs or alcohol may have facilitated the incident of sexual misconduct.
5. Consider steps to preserve and record physical and other evidence, which may be important to enforce rights or obtain remedies (including pressing criminal charges or seeking a civil protective order).
  - a. Details that may be important to identify the allegedly responsible individual include the perpetrator's name (if known) and a description of the perpetrator (including clothing worn and a physical description of the perpetrator), and the details of the incident of sexual harassment (including, for example, the location, possible witnesses, etc.).
  - b. If individuals do change or have access to other materials like sheets or blankets present during the assault/violence, those materials can be brought to the hospital or given to law enforcement for evidence collection. Individuals should use a paper bag, not a plastic bag, if they choose to transport any of these materials on their own. Note that this is by no means an exhaustive summary regarding evidence preservation, which is outside the scope of this Policy.
  - c. Individuals may also consider preserving electronic evidence and other relevant information, such as communications from the perpetrator (including email, text messages, mail, instant messaging, etc.).
6. Seek confidential counseling services. Individuals can obtain confidential counseling assistance whether or not they file a report (see Getting Help for your campus information).
7. Seek assistance regarding obtaining interim supportive or protective measures at the university, including no contact orders and changes to university academic, living, student financial aid, visa and immigration, working, and transportation situations, regardless of whether individuals choose to report the sexual misconduct. The Title IX coordinator (who is also the university's nondiscrimination coordinator and Section 504 coordinator) or CS&S will provide individuals with written information about university and community resources for changing situations or addressing needs.
8. Create a safety plan. The Title IX coordinator, CS&S, and other university administrators are able to assist individuals with creating such a plan. Community organizations may be able to assist as well.
9. Individuals may seek a protective order or similar order from a court. Please note that the local authorities are responsible for the enforcement of these items and not CS&S, but CS&S will provide assistance.

## Reporting Offenses to the University

**Consider your reporting options.** Your options include

- reporting the offense to law enforcement authorities by dialing 911 or contacting the appropriate police at the numbers listed in Getting Help. Campus authorities will assist you with notifying law enforcement authorities, if desired;
- reporting the offense to CS&S (see Getting Help for your campus information);
- reporting the offense to a Residential Life staff member (such as your RA or Area Coordinator);
- reporting the offense to the university's Title IX coordinator; and/or
- reporting the offense to any of the other organizations or departments listed in Getting Help.

If you wish to report confidentially or are uncertain about your next step you may call counseling services (see Getting Help for your campus information).

Johnson & Wales University strongly urges students to report criminal offenses to local police and CS&S so the university can take appropriate measures to provide help to the complainant and prevent future crimes.

However, you have the right not to report the matter.

Johnson & Wales University strives to be supportive and accommodating for all victims of sexual assault and relationship violence. University representatives will make every effort to help in these ways:

1. We will meet with you privately at a place of your choice on campus to take a statement, explain your options, and provide you with a written list of rights and resources.
2. We will treat information that you share with the highest level of discretion.
3. **CONFIDENTIALITY:** We will do our best to honor your request to maintain confidentiality, provided your request does not interfere with our obligation to provide a safe, non-discriminatory environment for all students.
  - The university will evaluate a request to maintain confidentiality and consider several factors in evaluating such a request:
    - a. The totality of known circumstances
    - b. The seriousness of the offense
    - c. Whether the prohibited conduct involved physical violence or use of weapons
    - d. Whether the report reveals a pattern of prohibited conduct
    - e. Whether the respondent has a history of arrests or is the subject of prior reports indicating a history of violence
    - f. Whether multiple respondents were involved
    - g. Complainant's age
    - h. Any other available and relevant information and evidence
  - The university's crime log will not include identifying information about the complainant to the extent permissible by law.
  - Please be advised that if we honor a request to maintain confidentiality, our ability to meaningfully investigate the incident and pursue disciplinary action against the respondent may be limited.
  - Any accommodations or protective measures provided to you will be kept confidential, to the extent that maintaining such confidentiality will not impair the ability of the university to provide the accommodation or protective measures.
  - If we cannot honor your request to maintain confidentiality, we will inform you and, to the extent possible, only share information with people responsible for handling our response to the incident.
4. We will not prejudge you.
5. We will treat you and your particular situation with courtesy, sensitivity, dignity, understanding, and professionalism.
6. If you feel more comfortable talking with either a counselor or representative of a specific gender, we will do our best to accommodate your request.
7. We will assist you in arranging for any hospital treatment or medical needs.

8. We can assist you in privately contacting local law enforcement officials, counseling, CS&S, advising and other available resources, both on campus and in the community as set forth in Getting Help.

9. We will fully investigate your report with respect and discretion.

10. We will continue to be available for you — to answer your questions, explain the systems and processes involved, and be willing listeners.

11. We will consider your report seriously, without bias based on a protected category.

12. We will provide written notification of rights and options, including interim and protective measures.

See additional information: Sexual Assault and Relationship Violence Policy, Education and Prevention, Getting Help, Criminal and Disciplinary Action, Retaliation and State Laws.