APPENDIX D
Frequently Asked Questions for Victims and Preservation of Evidence

What should I do immediately after I become a victim of sexual assault?
1. Get to a safe location. If the situation is serious enough that you are concerned about your physical safety, dial 911 or Campus Safety at (303) 458-4122.
2. Contact someone you trust for support. Be aware that some staff members, faculty, and your RA will need to report some information you share with them. If you would like confidential and privileged support, please contact:
   a. The Office of Counseling and Personal Development: (303) 458-3507
   b. University Ministry: (303) 458-4153
   c. The Violence Prevention Program Coordinator (303) 458-4029
   d. The Blue Bench 24-Hour Hotline: (303) 322-7273
3. If you may want to pursue an investigation or criminal case in the future, it is best to seek out a hospital or emergency room with a Sexual Assault Nurse Examiner (SANE) program. See a list of Hospitals that provide SANE examinations in Appendix E, Resources.
4. Even if you do not want to pursue an investigation or criminal case, it is important to seek out medical attention. This can help you identify and treat injuries, address the possibility of STI’s, and to test for possible date rape drugs.
5. The fact that you have a SANE/SAFE exam does not imply that you have to participate in a law enforcement or University investigation.

How can I best preserve any evidence of sexual assault?
Preserving evidence, such as clothing, sheets, text messages, or other contact is helpful if you are considering an investigation or criminal case. Though your first thought may be to dispose of these items or to shower, hold onto the evidence and wait to shower until after the SANE/SAFE exam. In addition:

- Go as soon as possible, preferably within the next 24 hours to the nearest local hospital with an appropriate Sexual Assault Nurse Examiner program (SANE). The Hospital staff will collect evidence if you decide to exercise your right to file a complaint with the police or take further legal action. See a complete list of medical institutions that provide the exam in Appendix E under “off campus resources.”
- The University has signed an agreement with a local transportation service and will give you a voucher that you can use to get to the hospital and to come back to campus, if appropriate. Campus Safety will be able to assist you.
- If you have changed your clothes since the assault, bring the clothing you had at the time of the assault to the hospital in a paper grocery back or wrapped them on a clean sheet (plastic backs do not breed and may render evidence). The Hospital will keep the clothes you were wearing as evidence.
- If you want to preserve the evidence of a sexual assault you should not:
  o Bath or shower
  o Brush your teeth
  o Use the restroom
  o Change clothes
  o Comb hair
- Clean up the area where the assault occurred
- Move anything the offender may have touched
- Don’t block the offender from your cell phone or social media and don’t erase text messages and/or other electronic communications with the offender. They may serve as evidence in your case.

**What happens if I was under the influence or alcohol or drugs when the incident occurred?**
As explained above, when the victim is incapacitated because of the use of drugs or alcohol, there is no consent. The use of drugs and alcohol will be considered during the investigation for the purpose of analyzing whether or not sexual activity was consensual. The University grants amnesty to students who may have violated the University’s Alcohol Policy at the same time of the incident when he or she became a victim of sexual assault. Therefore, no alcohol charges are applied to a student who reports that he or she was under the influence of alcohol at the time of a sexual assault.

On the other hand, alcohol and/or drug use is likely to affect the complainant’s memory and, therefore, may affect the outcome of the complaint. If the complainant does not remember the circumstances of the alleged incident and cannot provide sufficient circumstantial evidence, physical evidence and/or witnesses to prove his/her complaint it may not be possible to impose sanctions on the accused without further corroborating information.

**What happens if the offender was under the influence of alcohol or drugs?**
The use of alcohol and/or drugs by either party will not diminish the accused individual’s responsibility.

**What do I do if I am accused of sexual misconduct?**
Do not contact the alleged victim. You may immediately want to contact someone who can act as your advisor; anyone may serve as your advisor. You may also contact the Title IX Coordinator or one of the Title IX Deputy Coordinators who can explain the University’s procedures for addressing sexual misconduct complaints. You may also want to talk to a confidential counselor at the counseling center or seek other community assistance. Read the University Policy carefully and get informed about your rights during the procedure.

**What should I do if I witness or know about sexual harassment, violence or misconduct of another person?**
Witnessing sexual harassment, sexual violence or misconducts can be a very difficult experience and your response to it may be critical to the outcome of the situation. The first priority is to make sure that you and the victim are safe. If needed, called 911 to get police assistance or call University Campus Safety at 303-458-4122. Listen carefully and compassionately to the victim, don’t touch them without their consent, and avoid making any judgmental comments. Make sure that the victim has complete information about all the resources available and help victims to understand their choices related to getting medical and psychological assistance and reporting the incident. If you can, offer your help in getting support for the victim.
Write down detailed information about the sexual misconduct such as place, time, names of everybody involved, witnesses and what has happened. You may need it later. Remember not to assure confidentiality to the victim you may need to report it later. If you are unsure of what you should do, please contact the Violence Prevention Program Coordinator.

**Will my parents or family members be told?**
No, not unless you tell them. Whether you are the complainant or the accused individual, the University’s primary relationship is to the student and not to the parent. However, in the event of major medical, disciplinary, or academic jeopardy, students are strongly encouraged to inform their parents. University officials will directly inform parents when requested to do so by a student, in a life-threatening situation, or if an accused individual has signed the permission form at registration which allows such communication.

**Will the accused individual know my identity?**
Yes, if you file a formal complaint. Sexual misconduct is a serious offense and the accused individual has the right to know the identity of the complainant/alleged victim and the opportunity to respond.

**Do I have to name the perpetrator?**
Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint (but you should consult the confidentiality sections in this policy to better understand the University’s legal obligations depending on what information you share with different University officials). Victims should be aware that not identifying the perpetrator may limit the institution’s ability to respond comprehensively.