

WHAT TO DO IF YOU THINK YOU OR SOMEONE YOU KNOW IS A SURVIVOR OF SEXUAL ASSAULT

WHAT IS SEXUAL ASSAULT?

In Clemson University's Anti-Harassment and Non-Discrimination Policy, sexual assault and/or battery is defined as any attempted or actual act of nonconsensual sexual intercourse, cunnilingus, fellatio, anal intercourse or any intrusion, however slight, of any part of a person's body or of any other object into the oral, genital or anal openings of another person's body. This includes forcible or non-forcible sex offenses under the uniform crime reporting system of the Federal Bureau of Investigation:

- Rape – The carnal knowledge of a person without the consent of the victim including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacitation.
- Fondling – The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacitation.
- Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Non-forcible sexual intercourse with a person who is under the statutory age of consent. (In South Carolina, the legal age of statutory consent is 16. However, individuals as young as 14 years old are able to consent to have sex with a partner who is 18 years old or younger.)

Read the entire policy at clemson.edu/campus-life/campus-services/access/anti-harassment-policy.html.

STATS

Women and girls are the vast majority of victims: nearly one in five women – or nearly 22 million – has been raped in their lifetimes.

Men and boys are also at risk: one in 71 men – or almost 1.6 million – have been raped during their lives.

Most victims know their assailants.

The vast majority (nearly 98 percent) of perpetrators are male.

Repeat victimization is common: over a third of women who were raped as minors were also raped as adults.

Young people are especially at risk: nearly half of female survivors were raped before they were 18, and over one-quarter of male survivors were raped before they were 10.

In one study, the average number of victims for each rapist was seven, and in another study it was 11 (Lisak, n.d.).

Women aged 18 to 24 consistently experience the highest level of victimization than women in other age brackets.

("Rape and Sexual Assault: A Renewed Call to Action," 2014; Langton & Sinozich, 2014)

WHERE TO GO FOR HELP

Sexual assault is NEVER the survivor's fault. There are many on- and off-campus support services and resources available to survivors of sexual assault.

Getting Care

If you or someone you know are a survivor of sexual assault, consider seeking medical attention as soon as possible. In South Carolina, evidence may be collected even if survivors choose not to make a report to law enforcement. If survivors do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. It is important that survivors not bathe, douche, smoke, eat, drink, comb hair, urinate, defecate, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence, as may be necessary to the proof of criminal activity, may be preserved. However, if survivors have already done so, do not deter from seeking medical care.

If survivors suspect they may have been given a date rape/predatory drug, a hospital or clinic may want a urine sample immediately as these drugs are more likely to be detected in the urine than in blood. Survivors are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications and keeping pictures, logs or other copies of documents, if any, that would be useful to University hearing boards, investigators or police. If survivors change their clothes, save clothing and do not wash them; place the items in a separate paper bag.

Survivors can have an exam and report anonymously to a licensed SANE (Sexual Assault Nurse Examiner) nurse at a local hospital. Often times these exams are done at no cost. Once evidence is collected, survivors can prosecute days, weeks or even months later.

On-Campus Resources

Student Health Services

Redfern Health Center
735 McMillan Road
Clemson, SC 29634
864-656-2233
864-656-2451 (CAPS)
864-656-1294 (CU CARES)
864-656-2222 (CAPS after hours/weekends; ask for the CAPS on-call counselor)
clemson.edu/studenthealth

At Redfern Health Center, survivors will have access to **confidential** sexual assault support services. Medical providers will be able to assist male and female student survivors with making decisions regarding the most appropriate medical services. The Women's Clinic can test for pregnancy, write prescriptions for emergency contraception, test for and treat sexually transmitted diseases/infections, and provide guidance in making medical decisions.

All students affected by interpersonal violence also have access to CU CARES (Counseling, Advocacy, Referrals, Education and Support) Relationship and Sexual Violence Services through Counseling and Psychological Services (CAPS). Student survivors of sexual violence can seek confidential crisis counseling through these services. CAPS

will also provide appropriate referral services and serve as an advocate on the survivor’s behalf (accompaniment to appointments, assistance with emergency housing and academic accommodations, and support with judicial/legal processes). The choice of whether or not to file a report or move forward with an investigation is always that of the survivor. CU CARES will provide services and support no matter what this decision may be for each survivor.

Clemson University Police Department (CUPD)

344012 Centennial Boulevard
 Clemson, SC 29634
 864-656-2222
 In case of emergency dial 911.
clemson.edu/cupd

The Clemson University Police Department assists all campus crime victims with referrals, transportation, court familiarization and compensation. If survivors choose to call the police, CUPD can help them understand what will happen once they report to the police. CUPD will also be able to assist with getting medical attention. By calling the police, survivors are not obligated to press charges. Police departments also have victim’s advocates available to assist survivors with understanding the legal process and help them get necessary services. CUPD has a victim’s advocate who can be reached at 864-656-5251. Victim’s advocates in the applicable local jurisdiction can assist survivors with obtaining restraining orders or other orders of protection even if a criminal complaint is not filed.

Law Enforcement Agency	Victim Advocate	Non-Emergency Line
Clemson City Police Department	864-624-2012	864-624-2000
Pickens County Sheriff's Office	864-898-5634	864-898-5500
Oconee County Sheriff's Office	864-638-4247	864-638-4111
Anderson County Sheriff's Office	864-222-3952, 864-222-6656	864-260-4400
Greenville County Sheriff's Office	864-467-4704	864-467-5300

Title IX Office

Alesia Smith
 Clemson University Title IX Coordinator
 Executive Director of Equity Compliance
 110 Holtzendorff
 864-656-3181
alesias@clemson.edu

Title IX of the Education Amendments of 1972 (amending the Higher Education Act of 1965) is a federal gender equity law that prohibits discrimination based on sex in education programs and activities that receive federal funding. Sexual harassment, which includes sexual violence and other forms of nonconsensual sexual misconduct, is a form of sex discrimination and is prohibited under this law. Anyone can make a complaint about discrimination based on sex or gender or a complaint of sexual harassment including sexual violence to the Title IX Coordinator.

Office of Advocacy and Success

202 Hendrix Student Center
 864-656-0471
clemson.edu/studentaffairs/advocacy-success

The Office of Advocacy and Success provides care and support to any student at Clemson University on a variety of topics. Staff in the Office of Advocacy and Success can assist students in identifying campus resources and making complaints related to the Anti-Harassment and Non-Discrimination policy.

Off-Campus Resources

Baptist Easley Hospital

200 Fleetwood Drive

Easley, SC 29649

864-442-7200

www.baptisteasley.org/hospital_services/emergency_services/sexual_assault_nurse_examiner

Baptist Easley offers physical evidence recovery kit collection (rape kit) and access to SANE (Sexual Assault Nurse Examiner) nurses. The SANE nurses at Baptist Easley rule out life threatening injuries, provide physical and emotional support, gather forensic evidence for legal purposes, and provide protection from pregnancy and venereal disease. Survivors can call ahead and ask for a SANE nurse, or they can let the emergency department know when they arrive.

There are two ways survivors can report: 1. report to the police (this can be done any time after the assault occurred) or 2. report anonymously (this must be done within 72 hours of the assault). Anonymous forensic collection kits allow evidence to be collected while still giving survivors time to decide if they would like to move forward with reporting. All of these services, including the exam and forensic collection kit by a SANE nurse, are done at **no cost**. The SANE nurses can give medication to help prevent pregnancy and most sexually transmitted diseases. SANE nurses are available **24-hours a day**, and it takes about two hours to complete the exam and evidence collection. If survivors need a ride to the hospital, they can call CUPD at 864-656-2222, and a victim's advocate can provide transportation to and from the hospital and serve as a guide through the legal process; however, it will no longer be anonymous because a documented report will be filed.

Greenville Memorial Hospital

701 Grove Road

Greenville, SC 29605

864-455-7000

Greenville Memorial Hospital offers physical evidence recovery kit collection (rape kit) and access to SANE (Sexual Assault Nurse Examiner) **nurses 24-hours a day at no cost**. Survivors can be connected with these nurses by going to the emergency department.

Pickens County Advocacy Center

5190 Calhoun Memorial Highway Suite A

Easley, SC 29640

864-442-5500

www.pickensrcc.org

The purpose of the Pickens County Advocacy Center is to provide immediate 24-hour response to sexual assault victims and their families through medical, court and law enforcement escort, educational programs, information and referral, legal advocacy, and support services. As a continued service to the community, all services of the Pickens County Advocacy Center are **complimentary** and **confidential**.

Foothills Alliance Sexual Trauma Center (Anderson and Oconee Counties)

216 E. Calhoun Street
Anderson, SC 29621
864-231-7273 or 1-800-585-8952
www.foothillsalliance.org

Foothills Alliance is a nonprofit agency. Their sexual trauma program offers multi-service responses to the needs of child and adult (both male and female) sexual trauma survivors in Anderson and Oconee counties. The services include immediate crisis response and long-term counseling. Crisis services include a **24-hour crisis hotline** and accompaniment for survivors at local hospital emergency rooms, law enforcement agencies and court proceedings. Other **free** services include new clothing to survivors in emergency rooms, survivor group meetings, support and counseling for family members and other involved in the survivor's recovery, and referrals to other agencies.

Safe Harbor (Domestic and Relationship Violence)

1-800-291-2139
www.safeharborsc.org

Safe Harbor is a nonprofit organization dedicated to helping survivors of domestic violence in the upstate of South Carolina. Safe Harbor offers a continuum of services, providing safe emergency shelter, counseling, legal advocacy and transitional housing. These services are **confidential** and offered at **no cost**. The center offers 24-hour crisis hotline response.

South Carolina Coalition Against Domestic Violence and Sexual Assault (SCCADVASA)

803-256-2900
www.sccadvasa.org

The mission of SCCADVASA is to end domestic violence and sexual assault in South Carolina by influencing public policy, advocating for social change and building capacity of member programs, organizations and communities across the state.

National Domestic Violence Hotline

1-800-799-SAFE (7233)
www.thehotline.org

Operating around the clock, **seven days a week, confidential** and **free of cost**, the National Domestic Violence Hotline provides lifesaving tools and immediate support to enable survivors to find safety and live lives free of abuse. Callers to the hotline can expect highly trained experienced advocates to offer compassionate support, crisis intervention information and referral services in over 170 languages. Visitors to this site can find information about domestic violence, safety planning, local resources and ways to support the organization.

Rape, Abuse & Incest National Network (RAINN)

1-800-656-HOPE (4673)
www.rainn.org

RAINN is the nation's largest anti-sexual assault organization and offers programs and resources to prevent sexual assault and help survivors. RAINN operates an **anonymous** and **confidential** National Sexual Assault Hotline.

National Coalition Against Domestic Violence (NCADV)

1-800-799-SAFE (7233) or 1-800-787-3224

www.ncadv.org

NCADV is comprised of people dealing with the concerns of battered women and their families. They represent both rural and urban areas. The Mission of the NCADV is to organize for collective power by advancing transformative work, thinking and leadership of communities and individuals working to end the violence in our lives. NCADV's website provides information on all NCADV programs, activities and events as well as information on legislative issues, domestic violence research material and other related topics. An **anonymous** and **confidential crisis hotline** is offered **24-hours** a day.

Not Alone

www.NotAlone.gov

Not Alone was launched in connection with the White House Task Force to Protect Students from Sexual Assault. The website provides information for students, schools and anyone interested in finding resources on how to respond to and prevent sexual assault on college and university campuses and in our schools. It's comprised of information on finding crisis services in your area, learning about your rights, how to file a complaint and includes a map of resolved school-level enforcement activities.

Rights and Options

Regardless of whether a survivor elects to pursue a criminal complaint, the Clemson University Police Department, Title IX Office and Office of Community and Ethical Standards will assist survivors of sexual assault by providing them with information about University policies and procedures, on- and off-campus resources, and other relevant information. In South Carolina, a crime victim has the right

- to be treated with fairness, respect and dignity, and to be free from intimidation, harassment or abuse, throughout the criminal and juvenile justice process and informed of the victim's constitutional rights, provided by statute;
- to be reasonably informed when the accused or convicted person is arrested, released from custody or has escaped;
- to be informed of and present at any criminal proceedings that are dispositive of the charges where the defendant has the right to be present;
- to be reasonably informed of and be allowed to submit either a written or oral statement at all hearings affecting bond or bail;
- to be heard at any proceeding involving a post-arrest release decision, a plea or sentencing;
- to be reasonably protected from the accused or persons acting on their behalf throughout the criminal justice process;
- to confer with the prosecution after the crime against the victim has been charged, before the trial or before any disposition and informed of the disposition;
- to have reasonable access after the conclusion of the criminal investigation to all documents relating to the crime against the victim before trial;
- to receive prompt and full restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury including both adult and juvenile offenders;
- to be informed of any proceeding when any post-conviction action is being considered and be present at any post-conviction hearing involving a post-conviction release decision;
- to have a reasonable disposition, and prompt and final conclusion of the case;

- to have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and have these rules subject to amendment or repeal by the legislature to ensure protection of these rights.

Furthermore, Clemson University Police Department complies with the SC Protection from Domestic Abuse Act in recognizing orders of protection. For example, any person who obtains an order of protection from South Carolina, or any other United States territory or state, should provide a copy to CUPD. Please note that out-of-state orders must first be registered in family court. A complainant may then meet with CUPD (with assistance from the Title IX Office, Office of Advocacy and Success and/or Human Resources as needed) to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce their risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or work assignment location, etc. Protection from abuse orders may be available through Pickens County Family Court or the Family Court of the appropriate jurisdiction where the domestic abuse occurred. Restraining orders may be available through Magistrates Court of the appropriate jurisdiction where the domestic abuse occurred. The Magistrates Court closest to Clemson University is Pickens County Magistrates Court located at 216 C. David Stone Rd., Pickens, SC 29671 864-898-5592.

To the extent possible given the victims' cooperation and consent, University offices (including but not limited to the Title IX Office, Office of Advocacy and Success, Dean of Undergraduate Studies, Dean of Graduate Studies, Human Resources, Student Health Services (including CAPS), CUPD, Office of Community and Ethical Standards, etc.) will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal University investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living or working situations in addition to counseling, health services and assistance in notifying appropriate local law enforcement.

Additionally, personal identifiable information about the victim will be treated confidential to the extent permitted by law. Internally, Clemson University will only share information with persons with a specific need to know who are participating in the investigation and/or adjudication of the complaint or delivering resources or support services to the complainant. The University does not publish the name of crime victims nor house identifiable information regarding victims in the CUPD Daily Crime Log or online. Student survivors may request that their directory information (address, phone number, email address and other types of directory information as defined in the Clemson University Notification of Rights under the Family Educational Rights and Privacy Act (FERPA)) not be disclosed by picking up, completing and returning a Directory Information Suppress form to Registration Services, located in E-206 Martin Hall. If you have any questions about the form, please contact Registration Services at 864-656-2305.

Confidentiality

The University recognizes that a complainant may desire confidentiality and may request that the University not investigate or pursue resolution of an allegation of sexual assault, domestic violence, dating violence and stalking. In such cases, the University will maintain confidentiality to the extent permitted by law and other safety and welfare considerations. However, the University may determine that it must investigate and pursue resolution of a report and take whatever measures it deems necessary in response to an allegation of sexual assault, domestic violence, dating violence and stalking in order to protect the rights, interests and personal safety of the Clemson community. As such, the University may have to disclose the allegation and the identity of the complainant to the accused, other University officials and others (to implement interim measures) as appropriate. Nevertheless, we will only share information on a limited basis and will keep information confidential to the extent permitted by law.

If a complainant alleging sexual violence requests that his/her name not be revealed to the alleged perpetrator or asks that the school not investigate or seek action against the alleged perpetrator, the complainant must understand that honoring this request may severely limit the ability to fully respond to the complaint, including pursuing disciplinary action against the alleged perpetrator. All such requests will be referred to and reviewed by the Title IX Coordinator. A range of factors will be considered in evaluating these requests including but not limited to

- whether there have been other sexual violence complaints about the Respondent,
- whether the Respondent threatened further violence against the Complainant or others,
- whether the alleged sexual violence was perpetrated with a weapon,
- whether the school possesses other means to obtain relevant evidence (e.g. security cameras, witnesses, physical evidence, etc.).

If a complainant wishes to speak to a confidential resource, the following resources are available:

- **Counseling and Psychological Services (CAPS):** Student survivors of sexual assault or relationship abuse can seek confidential counseling services through CAPS.
- **Employee Assistance Program:** The Office of Human Resources offers **confidential**, professional referral assistance to faculty and staff by contacting the Employee Assistance Program at 864-656-3360 or 864-656-2726.
- All victims of sexual violence may seek crisis counseling services through the Pickens County Advocacy Center, 864-442-5500.

The University provides many other non-confidential resources to students who have been victims of sexual assault, domestic violence, dating violence and stalking. Although the University encourages all students to seek help by means of speaking to someone, it is important to keep in mind that the University is required by law to review and attempt to resolve any allegation of sexual assault, domestic violence, dating violence and stalking that is reported to any University official with the exception of those receiving parties that are confidential resources.

The University also has a duty to report allegations of sexual assault, domestic violence, dating violence and stalking to the Clemson University Police Department for federal statistical reporting purposes (as dictated by the Clery Act). All personally identifiable information is not disclosed, but statistical information must be reported regarding the type of incident and its general location (on/off campus or in the surrounding area; no addresses are given) for publication in the annual Security and Fire Safety Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime to ensure greater community safety. ("Clemson University Anti-Harassment and Non-Discrimination Policy," n.d.)

REPORTING

There are two options for reporting complaints. A criminal complaint and an on-campus complaint to the Title IX Office can be made simultaneously.

Criminal Reporting

If the alleged activity is a crime, a report should be made to the Clemson University Police Department or other appropriate law enforcement agency if the incident occurred off campus. Sexual assault, sexual battery and other forms of sexual violence/misconduct are criminal acts, and Clemson University encourages victims to meet with police officers as soon as possible in order to receive prompt medical attention and allow officers to gather information in a timely manner. The sooner law enforcement becomes involved, the greater the likelihood of

identifying, arresting and convicting the perpetrator. If a report is made to the Clemson University Police Department (CUPD), the department will provide an advocate to ensure that medical treatment and counseling services are offered regardless of the person's decision to pursue the matter criminally.

- To make a report on campus, immediately call 911 or CUPD at 864-656-2222.
- If you are away from campus, call 911.

What happens when a campus sexual assault is reported to the Clemson University Police Department?

- A police officer will come to your location to help you obtain emergency medical treatment, ensure your safety and obtain a description of the suspect. He or she will ask you for the location and time of the assault, a description of the assailant and a description of your injuries.
- The case will be assigned to the Clemson University Police Department's Investigations Division. All investigators of this Division have been trained in the investigation of sexual offenses and the crime's impact on the victim. These investigators will approach each case in a sensitive manner.
- Clemson University Police will request a medical examination to ensure that you have suffered no physical injury and so that a medical report can be completed for use in a court proceeding if charges are pressed. You will be examined by a trained sexual assault specialist.
- You will be interviewed (you may specify the gender of the officer). If you have asked a friend or counselor for support, he or she can be with you at this time.
- A report of the incident will be referred to the Office of Community and Ethical Standards. If the suspect is a Clemson student, disciplinary action may be initiated. When you report a campus rape, you are not making a commitment to file charges or testify in court. By reporting the matter to the Clemson University Police, you can be assured of immediate physical protection and transportation to a medical facility.

On-Campus Compliant Through the Title IX Office

The Student Code of Conduct extends to incidents that occur on University property, at University-sponsored activities and off campus. Complaints can be filed with the Title IX Coordinator, Alesia Smith.

Complaint procedures can be found online:

clemson.edu/campus-life/campus-services/access/title-ix/how-to-file.html

Adjudication of Complaints

These complaint processes will include a prompt, fair and impartial investigation and resolution. Clemson University Title IX investigators receive training and certification by the Association of Title IX Administrators. The following will apply:

- The complainant and respondent will each have the opportunity to attend a hearing before a properly trained hearing board.
- The complainant and respondent will each have an equal opportunity to provide the names of witnesses and evidence to support their positions.
- The complainant and respondent each have the opportunity to have an advisor of their choice, at their expense, at any stage of the process and at any meeting or hearing. The advisor may only

consult and advise the complainant or respondent but cannot speak for the advisee at any meeting or hearing.

- The preponderance of evidence standard means a violation of policy will be found if is "more likely than not to have occurred."
- The complainant and respondent will both be notified simultaneously in writing of the outcome of the process.
- Both parties will have equal appeal rights under the applicable procedures.
- Please note that when a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the University's ability to respond to the complaint may be limited.

("Sexual Assault, Dating Violence, Domestic Violence and Stalking Policy Statement," n.d.)

REFERENCES

Clemson University Anti-Harassment and Non-Discrimination Policy. (n.d.). Retrieved June 23, 2015, from <http://www.clemson.edu/campus-life/campus-services/access/anti-harassment-policy.html>

Clemson University 2014 Security and Fire Safety Report. (n.d.). Retrieved June 23, 2015, from http://www.clemson.edu/campus-life/campus-services/cupd/documents/safety_report_2014_Web.pdf

Langton, L., & Sinozich, S. (2014, December 11). Rape and Sexual Assault Among College-Age Females, 1995-2013. Retrieved June 23, 2015, from <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=5176>

Lisak, D. (n.d.). Understanding the Predatory Nature of Sexual Violence. Retrieved June 23, 2015, from <http://www.middlebury.edu/media/view/240951/original/>

Rape and Sexual Assault: A Renewed Call to Action. (2014). Retrieved June 23, 2015, from http://www.whitehouse.gov/sites/default/files/docs/sexual_assault_report_1-21-14.pdf

Resources for Victims of Sexual Assault, Domestic Violence, Dating Violence and Stalking. (n.d.). Retrieved June 23, 2015, from <http://www.clemson.edu/>

Sexual Assault, Dating Violence, Domestic Violence and Stalking Policy Statement. (n.d.). Retrieved June 23, 2015, from <http://www.clemson.edu/>