

GOUCHER | college

RESOURCES AND GUIDELINES FOR VICTIMS OF SEXUAL ASSAULT

For Students, Staff, and Faculty

IN A LIFE-THREATENING
EMERGENCY

DIAL 911

followed by
24-Hour OFFICE OF PUBLIC
SAFETY HOTLINE

410-337-6111

Student Health and Counseling
Services

410-337-6050

Office of Community Living
410-337-6424

Facilities Management Services
410-337-6166

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DEFINITIONS

SEXUAL ASSAULT

Sexual assault is **non-consensual physical contact of a sexual nature**, including rape as well as acts using force, threat, intimidation, coercion, or advantage gained by a victim's inability to make rational, reasonable decisions about sex. Sexual assault includes

- **non-consensual sexual intercourse**, which is any sexual intercourse (anal, oral, or vaginal), however slight, with any object, between any persons, without consent; and
- **non-consensual sexual contact**, which is any sexual touching (including disrobing the other or exposing oneself), however slight, with any object, between any persons, without consent.

Goucher College does not tolerate sexual assault under any circumstances. Perpetrators of sexual assault may be subject to criminal prosecution as well as disciplinary action by the college. Anyone who has been sexually assaulted, or believes he or she might have been sexually assaulted, is strongly encouraged to seek immediate medical and emotional support, and to report the incident. Reports may be made to designated campus consultants—at the back of this guide—or 24 hours a day, seven days a week to the Office of Public Safety at **410-337-6111 or 6112**.

Goucher's policies regarding sexual assault are included in the college's Sexual Misconduct Policy, the full text of which can be found online at **www.goucher.edu/misconduct**. Copies are available through the offices of Public Safety, Community Living, and the Chaplain, and the Student Health and Counseling Center.

CONSENT

Sexual assault occurs **in the absence of consent**. Consent must be expressed in explicit words, and it means willingly and knowingly agreeing to engage in mutually understood sexual conduct. Consent must be mutual and ongoing, offered freely and knowingly, and cannot be given by a person who is incapacitated, as described below.

Non-communication or silence constitutes lack of consent. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive. Incapacitation also constitutes lack of consent. If at any time during a sexual interaction any confusion or ambiguity should arise about consent, it is the responsibility of the person initiating the activity to stop and clarify the other's willingness to continue. If at any time consent is withdrawn, the activity must stop immediately. Consumption of drugs or alcohol, in and of itself, does not relieve a party of responsibility to obtain ongoing consent.

In order for consent to be valid, all parties must be **capable of making a rational, reasonable decision** about the sexual act and must have a shared understanding of the nature of the act to which they are consenting. It is not possible for a person to give consent if incapacitated by drugs, alcohol, or other physical or mental impairment, or if incapacitated by being threatened, intimidated, or coerced into giving consent. Indications of consent are irrelevant if the person is incapacitated. Engaging in sexual activity with someone who is incapacitated constitutes sexual misconduct and violates this policy.

Examples of incapacitation include, but are not limited to, being highly intoxicated, passed out, asleep, unable to communicate, or subjected to violence. Incapacitation may include the following physical indications:

- Slurred speech
- Unsteady gait or stumbling
- Vomiting
- Unfocused or bloodshot eyes
- Outrageous or unusual behavior
- Expressed memory loss
- Disorientation
- Unresponsiveness



WHAT TO DO AFTER AN ASSAULT

Victims of sexual assault are strongly encouraged to take the following steps soon after the assault:

Seek support. Call a friend, family member, or someone else you trust and ask that person to stay with you. You may also contact a campus consultant or outside source of support, as described in this guide, under *Counseling and Medical Attention*.

Report the assault to Public Safety, at **410-337-6111** or **6112**. Public Safety officers are trained responders. Reporting the assault is important for your protection, and to pursue legal recourse related to the assault, such as prosecution, should you decide to do so. Reporting the assault can also help you regain a sense of personal power and control, and can help ensure the safety of other potential victims.

If you feel unsafe, lock the door if possible and call Public Safety at **410-337-6111** or **6112**. Wait for your support person or a Public Safety officer to arrive.

If the alleged perpetrator was unknown to you, try to **remember any details** that may lead to that person's identification, such as scars or other marks, jewelry, dress, language, approximate height and weight in comparison to your own, vehicle description, tag number. Write these down as soon as you can, and include the date and time of writing.

Now or later, you need to decide whether to **pursue legal recourse**. To support legal action, observe the following precautions:

- Do not disturb the area, room, or vehicle where the assault was committed.
- Do not bathe, shower, douche, brush your teeth, or eat or drink.
- Please also see *Forensic Examinations and Preservation of Evidence*.



SUPPORT AND COUNSELING

If you are sexually assaulted, it can be helpful for you to **talk with a counselor** who is trained to assist people in coping with the emotional and physical impacts of sexual assault. This expertise is available in the Student Health and Counseling Center, and at TurnAround, the local sexual assault/domestic violence crisis program, in Towson.

ON CAMPUS

Students may receive confidential counseling during work hours, **free of charge**, from Goucher's counselors by contacting the Student Health and Counseling Center:

- Appointments may be made by calling 410-337-6481 from 9 a.m. to 5 p.m. Monday through Friday.
- **Emergency walk-in counseling** is available without an appointment between 1 and 2 p.m. Mondays, Tuesdays, Wednesdays, and Fridays; and between 2 and 3 p.m. on Thursdays.

After hours and on Saturday and Sunday, consultation for students is available by calling Public Safety at **410-337-6111 or 6112**. *You will be referred immediately to on-call counseling or Community Living staff for support and assistance.*

For counseling you may also contact the college chaplain at 410-337-6048, or the Hillel rabbi at 410-337-6545, from 9 a.m. to 5 p.m. Monday through Friday.

OFF CAMPUS

You may contact TurnAround in Towson for counseling. Fees are charged on a sliding scale.

- 24-hour domestic violence hotline at 410-828-6390
- 24-hour sexual assault hotline at 443-279-0379
- Daytime general information at 410-337-8111 or 410-837-7000



MEDICAL ATTENTION

Even if you think that you do not have any physical injuries, you are strongly encouraged to have a medical examination and discuss with a health care provider the risk of exposure to sexually transmitted diseases (STDs) and the possibility of pregnancy resulting from the sexual assault. If you suspect that you may have been given a rape drug, such as Rohypnol (“roofies”), ask the hospital or clinic where you receive medical care to take a urine sample.

The Student Health and Counseling Center (410-337-6050) provides medical care and counseling for all people who have been sexually assaulted, regardless of gender. You may elect to be seen there for injuries, testing for sexually transmitted diseases, emergency contraception, and counseling. Please note that the Student Health and Counseling Center does not collect evidence or perform forensic medical exams.

You may prefer to be taken to a local hospital for the following medical attention:

- to be examined for injuries
- to have evidence collected
- to receive immediate counseling and referral service
- to receive emergency contraception
- to be tested and treated for STDs

If you desire transportation to the hospital, please contact Public Safety at **410-337-6111** or **6112**. If you are a student, please know that on-call counseling or Community Living staff will accompany and assist you at the hospital. TurnAround, in Towson, also offers ER companion advocates, who will meet you at the hospital if you call them (24-hour hotline: 410-828-6390). You will receive full and prompt cooperation from campus personnel in obtaining appropriate medical attention, including providing transportation to the nearest designated hospital.



FORENSIC EXAMINATIONS AND PRESERVING EVIDENCE

If you believe you might at some point choose to pursue legal action related to the assault, please request that the hospital **perform a free Sexual Assault Forensic Examination (SAFE)**.

Physical evidence is most effectively obtained within 48 to 72 hours of a sexual assault. Maryland law allows a hospital to provide the SAFE exam free of charge, and there is no requirement for you to report the attack to the police. You can remain anonymous, and the evidence will be held for a period of time, giving you an opportunity to decide.

Greater Baltimore Medical Center (GBMC), 6701 North Charles Street in Towson; ER 443-849-2225, is the closest hospital designated for sexual-assault evidence collection.

Mercy Hospital, 301 St. Paul Place in Baltimore; ER 410-332-9477, is the designated hospital in Baltimore City.

Both hospitals will offer SAFE exams, regardless of where the assault occurred, although GBMC works most closely with Baltimore County prosecutors.

If you are planning to have a SAFE examination, please preserve all physical evidence of the assault. Please do not bathe, shower, douche, brush your teeth, or eat or drink. (This can be done after the examination.)

If you think you may want to pursue legal action related to the assault, it is important to preserve other evidence as well. Please do not wash or throw away any articles of clothing worn during the assault. Please place the items in a paper bag (plastic may break down the evidence), with each separate item in a separate bag if possible. (Paper bags are available from Public Safety.)



REPORTING AND CRIMINAL/DISCIPLINARY PROCEDURES

REPORTING

Decisions about reporting a sexual assault include whether to report the assault to the college administration, whether to file a complaint under the formal disciplinary procedures of this policy, and whether to bring criminal charges. **If you have been sexually assaulted, we will support your decision to report;** *you will not be penalized by the college for use of illegal drugs or alcohol related to the incident.* You may report the assault directly to the following offices and staff members:

- Office of Public Safety 410-337-6111 or 6112
- Assistant Dean of Community Living 410-337-6424
- Dean of Students 410-337-6150
- Director of Human Resources 410-337-6135

If you are sexually assaulted on campus, you are strongly encouraged to contact Public Safety immediately. When appropriate, Public Safety will issue a campus-wide alert for the protection of the college community, without revealing your identity.

CRIMINAL PROCEDURES FOR SEXUAL ASSAULT

If you are sexually assaulted, you have the option of notifying the appropriate law enforcement officials, including local police, and **you have the right to file criminal charges.** At your request, Public Safety and faculty or staff of your choosing, serving as your advisor, will promptly assist you in notifying law enforcement officials. (A list of trained sexual-assault consultants on campus can be found at the back of this guide.)

SPECIAL DISCIPLINARY PROCEDURES FOR SEXUAL ASSAULT

The college may institute disciplinary procedures against an accused student, faculty member, or staff member regardless of whether any criminal charges are filed. Persons accused of sexual assault may be removed from campus pending disciplinary action or criminal procedures, to avoid additional conflict within the community and to protect the safety of all those involved and of the campus community.

If you are sexually assaulted, **you (or when appropriate, the college) may initiate disciplinary procedures** pursuant to Section XI of Goucher's Sexual Misconduct Policy (www.goucher.edu/misconduct). If a criminal charge is filed, the college's general counsel will determine whether action under this policy should be delayed pending the outcome of the criminal case. The college is not required to await the outcome of any criminal proceedings before taking action under this policy, however. If a student or employee is found guilty of or pleads guilty to a rape charge in a criminal case and no appeal is filed within the appeal period, the college shall immediately expel the student from Goucher or immediately terminate the employee without further investigation or hearing. If a student or employee is found guilty of or pleads guilty to any other charge of sexual assault in a criminal case and no appeal is filed within the appeal period, the college may immediately expel the student or may immediately terminate the employee without further investigation or hearing. Individuals who are expelled or terminated under this provision are banned from campus.

If you believe that you have experienced sexual assault, please consider your option to bring a complaint of sexual misconduct against the perpetrator. The complaint procedures are described in Section XI of the Sexual Misconduct Policy (www.goucher.edu/misconduct). If you believe that you have witnessed sexual assault against another person, please consider reporting the matter to Public Safety or to other college authorities.



CONFIDENTIALITY

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Goucher College recognizes that confidentiality is important in matters of sexual misconduct. All persons responsible for implementing the Sexual Misconduct Policy will respect the confidentiality and privacy of the individuals involved, to the extent reasonably possible. Those individuals reporting, accused of, or otherwise involved in a sexual misconduct complaint are also required to keep the matter as confidential as is reasonably possible. Absolute confidentiality may not be maintained in all circumstances, including when the college is required to disclose information in response to legal process or when the college's need to protect the safety of others must outweigh confidentiality concerns.

Often a person reporting or otherwise concerned about sexual misconduct wants a discussion to be confidential or off the record. Confidential discussions about sexual misconduct may be available from persons who, by law, have special professional status, such as the college chaplain and Hillel rabbi, and the director, medical personnel, and counselors at the Student Health and Counseling Center. The level of confidentiality depends on what legal protections are held by the specific persons receiving the information, and should be addressed with them before specific facts are disclosed. Goucher employees, including faculty, staff, and community assistants (CAs) and other paraprofessional staff, may be required to disclose information concerning sexual misconduct that is not personally identifiable, and may even be required to disclose personally identifiable information in cases where a member of the college community is at risk. College employees who wish to discuss sexual misconduct may also choose to use Goucher's Employee Assistance Program.

