LET'S END CAMPUS SEXUAL ASSAULT

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A Resource Handbook for Campus Sexual Assault Survivors, Friends and Family

www.mi.gov/campussexualassault

RESOURCES

In Case of Emergency, Call

9-1-1

Michigan Campus Sexual Assault Resources and Information

www.mi.gov/campussexualassault

RAINN National Sexual Assault Hotline

1-800-656-HOPE (4673)
Information and Chat: www.rainn.org

National Teen Dating Abuse Hotline

1-866-331-9474
TTY: 1-866-331-8453
Text: Loveis to 22522
Information and Chat: www.loveisrespect.org

National Domestic Violence Hotline

1-800-799-SAFE (7233)
TTY: 1-800-787-3224
Information and Chat: www.thehotline.org

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INTRODUCTION



Dear friends,

This handbook is a statewide resource intended to provide basic information about campus sexual assault. It is written for survivors, but it is also intended to help friends and family.

My hope is that this handbook will help survivors begin their journey toward healing and enable family and friends to support loved ones who have experienced a sexual assault on campus. I am proud of the work Michigan has done to address this important issue, and I know that by working together we can better support survivors and put an end to campus sexual assault.

Sincerely,

Sue Snyder

Sue Snyder
First Lady - State of Michigan

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WHAT IS SEXUAL ASSAULT?

What is Sexual Assault?

Sexual assault is when a person forces or coerces another into unwanted sexual contact, like unwanted sexual penetration of the body or unwanted touching of intimate parts of the body. Some perpetrators force unwanted sexual contact when a victim is asleep, unconscious, under the influence of alcohol/drugs or physically helpless.

Michigan law refers to sexual assault as "criminal sexual conduct" and most school's disciplinary codes will refer to sexual assault as "sexual misconduct." The exact definition will vary between state criminal law and school misconduct policies.

There are a lot of myths about sexual assault. Here are the facts.

> Sexual assault is **NEVER** the victim's fault. Sexual assault is caused by a perpetrator who chooses to harm another person.

> **Anyone can be sexually assaulted.** Perpetrators target adults, teens and children of all ages regardless of gender identity or sexual orientation.

> About **85%** of sexual assault crimes are committed by someone the victim knows– an acquaintance, friend, friend of a friend, dating or intimate partner.

> **Around 1 in 5 women and 1 in 16 men** are targets of attempted or completed sexual assault while they are college students.

Sometimes perpetrators of sexual assault harm victims in other ways, for example by sharing intimate images or videos, following, harassing, pushing or hitting. These acts may also be criminal acts and/or a violation of your school's misconduct policy.

WHAT YOU MAY BE FEELING

Everyone reacts differently to the trauma of being sexually assaulted. Any reaction you have is normal. During the days, weeks and months after the assault you may have a variety of reactions.

Sexual assault is NEVER the victim's fault.

Possible Emotions and Feelings

> Shock, disbelief, numbness
> Confusion, lack of concentration
> Fear, nightmares, panic
> Sadness, depression, helplessness
> Anger, betrayal, isolation, guilt

Possible Physical Reactions

> Loss of appetite, nausea, stomach pain
> Sleeplessness, or sleeping more than usual
> Headaches, feeling tired
> Other body pains (backache, soreness, bruising)

Other Worries

Survivors commonly feel a variety of worries after the assault. They may replay the assault over and over again in their minds, thinking about their own actions and blaming themselves for what happened. Sometimes this can lead to feelings of shame or anxiety about what others will think.

SEXUAL ASSAULT IS NEVER THE VICTIM'S FAULT. Consuming alcohol or drugs, walking alone, wearing certain clothing, agreeing to be alone with the perpetrator, consenting to some sexual activity, changing your mind about sexual activity or having consensual sex with that person in the past, does NOT make you responsible when someone assaults you.

You may also be worried how the assault affects your relationships, immigration status, legal proceedings and your status as a student. Help is available for these issues and to talk about your thoughts and feelings.

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FINDING SUPPORT AND HELP

Finding Support and Help

You don't have to go through this alone. You have choices and you are entitled to help. Seeking support can help your health and well-being. It is never too late to ask for help.

Campus Support and Counseling Services

Your campus may have **confidential** counseling services that are available **free** of charge to all students. Some campuses also have specific programs for survivors of sexual assault that can offer confidential support, advocacy and counseling. This information and more should be on your school's website.

Local Sexual Assault Services

Many Michigan communities have local sexual assault organizations. They can provide **free and confidential** support services such as crisis support, advocacy and counseling. These services are specialized for sexual assault victims. Many will have advocates who can accompany you to medical or legal appointments. They can help and provide resources to your family and friends.

You don't have to go through this alone.

A Note on Confidential Help

Sometimes survivors want to keep what happened to them private. You have many options for confidential help from campus counseling centers and local sexual assault service organizations noted here. On campus, some people, like counselors, are confidential resources, while other individuals are required to notify the school. There are some legal exceptions to confidentiality. Feel free to ask any support person or counselor about their ability to keep your conversation confidential.

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FINDING SUPPORT AND HELP

Family and Friends

For some survivors of sexual assault, family and friends can be helpful during this time of healing. They may help you feel safe just by being near or listening. They may also be able to provide emotional support and help you connect with services. Some family and friends are not willing or capable of being helpful. It is important for you to surround yourself with people who can support you on your healing journey.

Michigan Resources for Help
www.mi.gov/campussexualassault

- Campus Sexual Assault Information
- Local Sexual Assault Organizations
- Michigan Campus Specific Sexual Assault Resources
- Michigan Campus Specific Title IX Coordinator/ Misconduct Policy Links

MEDICAL HELP

Immediate Medical Help

It is important that you get checked for possible injuries and pregnancy and that you get treated for sexually-transmitted infections. You can seek medical help at any time. However, the days immediately after the assault are the only time DNA evidence of the assault can be collected. It is also the only time any substances (sometimes called date-rape drugs) can be detected. All victims of sexual assault have a right, under Michigan law, to have a medical forensic examination and evidence kit collected **up to 5 days after the assault**. This is done in order to preserve any DNA evidence in case you decide to report the assault now or at a later date.

Medical Forensic Examination

This is a specialized examination that gives you the medical care you need and collects DNA evidence (commonly referred to as a rape kit). The examination may include emergency contraception, treatment for sexually transmitted infections and recommendations for follow-up care. If you agree, DNA evidence of the assault is also collected. Even if you think you are not going to report the assault, you can still have evidence collected. The police may be notified and come talk to you after the examination to see if you need help. You do not have to talk to the police to have this exam or to have DNA evidence gathered. This examination should be **FREE** to you (see payment section on next page).

You can seek medical help or follow-up care at any time.

What Happens to DNA Evidence

If you agree to release the evidence, Michigan law requires that it be submitted to the crime lab for forensic testing. If you are not ready to release the evidence for testing, Michigan law requires the health facility to store it for one year so that you have time to think about it and to release the evidence kit for testing later if you change your mind.

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MEDICAL HELP

Where to Go for Medical Help

SANE Program

There are specialized Sexual Assault Nurse Examiner (SANE) programs across Michigan that provide medical forensic examinations. SANE programs are often the best source of care for victims. To find SANE services or other providers near you, contact a local sexual assault organization by calling **1-800-656-HOPE** or visiting **www.mi.gov/campussexualassault**.

Hospital Emergency Room (ER)

If your community doesn't have a SANE program, every hospital ER in Michigan is required to provide a medical forensic examination to a person stating that they have been sexually assaulted in the previous five days and are seeking an exam.

Campus Health Services or General Practitioner

These providers can treat your medical concerns. They may be able to provide referrals to a SANE program or clinic that does medical forensic examinations.

Paying for the Medical Forensic Examination

You are not responsible for the cost of a standard medical forensic examination, including co-pays or deductibles. Either your insurance or the SAFE Response program will pay for the exam and evidence collection. If you do not have insurance, or if you have safety or privacy concerns about billing your insurance or your parents' insurance, SAFE Response will pay for the examination.

Questions About Payment

If you have any questions about billing, contact:
Crime Victim Services Commission, SAFE Response
1-517-334-SAFE (334-7233)

REPORTING SEXUAL ASSAULT

Reporting Options

You have the right to report a sexual assault to the police, school, both or neither. Often, participating in these processes can provide you with additional safety and support options. If you report the matter to police and your school, it is possible that two separate investigations will take place at the same time. These options are detailed on the following pages.

A Note About Alcohol and Drugs

Sometimes sexual assault perpetrators take advantage of victims who have used alcohol or drugs. Sometimes they give potential victims alcohol or drugs in order to assault them. Some people may feel nervous to report a sexual assault because they are scared of getting in trouble for consuming alcohol or drugs. Most schools have an explicit rule that they do not pursue drug or alcohol misconduct charges against people who have reported a sexual assault in good faith. Most prosecutors will not file drug charges against a person who has reported a sexual assault in good faith to law enforcement. You cannot be prosecuted for drinking alcohol (as a minor) or using drugs if you voluntarily seek health care for the assault or other health reasons.

REPORTING SEXUAL ASSAULT

Talking to the Police About the Crime

You can choose whether or not to talk to the police or make a report. It is never too late to talk to the police.

If you make a police report, an officer or detective will be assigned to your case. After investigating, the police should send it to the prosecuting attorney's office. The prosecutor will review the report and decide whether to file criminal charges. The prosecutor may also wish to talk to you.

You are free to decide whether or not to participate in the investigation process. Most of the time, you should be able to bring a support person with you when you talk to the police or prosecutor.

Some of Your Rights During the Criminal Process

If you have filed a police report, you have the right to call the police and ask to be notified of an arrest in your case, or the release of the arrested person or both. If you have filed a police report, you also have the right to ask about the status of your case, including: the name of the detective or investigating officer; whether the case has been submitted to the prosecuting attorney for review; and whether the case has been closed and the reason for closure.

It's never too late to talk to the police.

If you had a medical forensic exam and released the evidence kit to law enforcement, you have the right to ask the police for information about the testing of that evidence. This includes when the evidence kit was sent to a crime lab for testing and the results of evidence testing.

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THE CAMPUS PROCESS

Title IX

Under a federal law called Title IX, all schools are required to have systems in place to respond to allegations of sexual assault.

Participating in a Campus Investigation

You can contact your school's Title IX coordinator at any time to receive interim protective measures and/or start the school investigation process. The Title IX coordinator is the person responsible for providing resource information, implementing interim measures and overseeing campus sexual misconduct investigations. Contact information for the Title IX coordinator is usually available on the school's website.

If you disclose a sexual assault to other school employees, such as a professor, academic advisor or resident advisor, they are usually required to notify the Title IX coordinator. When the Title IX coordinator learns of a sexual assault, they usually reach out by email with information about school support resources and about the school's investigation process.

Title IX websites for Michigan colleges and universities can be found at
www.mi.gov/campussexualassault

Request for Confidentiality during the Campus Disciplinary Action

You can ask your school not to reveal your name to the accused person. You can also ask the school not to take any action when it learns of the sexual assault. The request to keep your name confidential may limit the school's ability to fully respond to the assault. In rare cases, a school may decide to reveal your name to the accused person and to proceed with an investigation even if you don't want it to go forward. This is because Title IX requires institutions to provide a safe and nondiscriminatory environment for all students, and the school might have to investigate the assault as part of this duty. However, you still have the choice of whether to participate in the investigation.

Campus Safety Options—Request for Interim Measures

Interim measures are steps a school takes to address your safety and comfort as soon as the school learns of the sexual assault, even if no investigation takes place. You can have input into creating the interim measures that address your needs on campus. Interim measures can include:

> Adjustments to class schedules.
> Changes to campus living arrangements.
> Provision of counseling/mental health support.
> Assistance with deadlines for coursework and exams.
> Imposition of a campus no-contact order.

You can ask the Title IX coordinator to implement interim measures at any time after a complaint has been made.

THE CAMPUS PROCESS

Your Rights During the Campus Process

The campus process will be different from school to school. Most schools put a link to their sexual misconduct policies and procedures in the Title IX section of their website. No matter how your college or university's process works, you have the right to:

> Have the matter handled by appropritately-trained, unbiased officials.
> Be accompanied by a support person during the investigation.
> Provide evidence and names of witnesses to the investigator.
> Receive a written notice of the outcome of any investigation and sanctions.
> Have an equal opportunity as the accused person to participate at every level of the investigation.
> Be protected from any retaliation for having made a complaint of sexual assault.

Potential Outcomes of Campus Process

If a student is found responsible for violating a school's sexual misconduct policy, the school can impose a range of sanctions. The most serious sanction a school can impose is to expel the violating student from school. The range of sanctions are usually listed in the school's sexual misconduct policy.

Protection from Retaliation

Under Title IX, people who make a complaint to their school are protected from retaliation. Retaliation is when any person takes action against you (threatening or harassing) for participating in your school's misconduct process. If you are concerned about possible retaliation, talk to the Title IX coordinator. The Title IX coordinator can take steps to address the retaliation, including investigating the retaliation as a possible violation of school policy.

OTHER LEGAL RESOURCES

Filing for a Personal Protection Order (PPO)

You always have the right to ask a Michigan circuit court for a Sexual Assault PPO, even if you decide not to talk to the police. A PPO is an order to protect you from someone that has sexually assaulted you or someone who has made you afraid of being assaulted. A PPO can order that person not to have contact with you, follow you, or approach you or the place where you live. The court can order the person to stop any other behavior that interferes with your personal freedom or that causes you a reasonable fear of harm.

For more information about PPOs and how to file for a PPO, visit Michigan Legal Help at ***www.michiganlegalhelp.org****.*

You can also get help in filing for a PPO by contacting your nearest sexual assault or domestic violence services provider at ***1-800-656-HOPE*** *or* ***www.mi.gov/campussexualassault*** *or hiring your own attorney.*

Responding to Other Legal Issues

Sometimes a perpetrator will retaliate against the survivor of sexual assault by filing a PPO or lawsuit against the survivor. Help is available if this has happened to you. If you need assistance defending a PPO, or have another civil legal aid question, contact the Counsel and Advocacy Law Line at **1-888-783-8190** and they will send your case to a legal services program near you. You can also visit **www.mplp.org** or **www.mcedsv.org** if you are a victim with an unusual legal matter, as both statewide agencies are working to support victims of crime who are struggling with the civil legal process.

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LOCAL RESOURCES

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