



EASTERN OREGON  
UNIVERSITY

## Sexual Assault Response at Eastern Oregon University

Eastern Oregon University  
Proposed Sexual Assault Policy

<http://www.eou.edu/saffairs/handbook>

Approved: 3/2/05 by the Assembly Student Affairs Committee

This sexual assault policy reflects Eastern Oregon University's commitment to raising awareness about sexual violence and fostering a culture of consensual sexuality in our University community.

A critical factor for our community is the safety of its citizens. Sexual assault is clearly inconsistent with the purposes of an academic community and is a violation of the Student Code of Conduct. Sexual assault is not only a crime against the victim but is also a crime against the state of Oregon. Perpetrators will be subject to campus discipline and referred to legal action. The University offers educational programs during new student orientation and throughout the academic year to promote awareness and prevention of rape, acquaintance rape and other forcible or non-forcible sex offenses.

Sexual assault includes but is not limited to:

1. Unwanted verbal (including telephone), written (including electronic media), pictorial, or physical conduct of a sexual nature which a reasonable person would consider intimidating, hostile, offensive, and/or which adversely affects the learning, working or living environment of the campus.
2. Rape: sexual penetration of another person, or causing the penetration of another person without first obtaining explicit consent, or when the rapist knows or should have known the person was incapable of consent. The above definitions of explicit consent and incapable of consent apply.
3. Sexual activity, when it falls within the legal definition of statutory rape/sexual assault.

### Definitions

- a. **Sexual assault:** sexual contact with any person without having first obtained explicit consent, or when the offender knows or should have known the person was incapable of consent.
- b. **Explicit consent:** requires a voluntary, non-coerced, and clear verbal communication that indicates a willingness to engage in a particular act.
- c. **Incapable of consent:** refers to a situation where an individual is not capable of affirming the sexual contact by reason of mental disorder, mental incapacitation (such as being under the influence of a controlled or other intoxicating substance), or physical helplessness (unable to physically communicate unwillingness to an act).

### **Procedures Students Should Follow if A Sex Offense Occurs**

Sexual assault can be very physically and emotionally damaging. Feelings of fear, anger, confusion, guilt and even hysteria are not uncommon. You should understand that the perpetrator was at fault, not you, and that there is help available to you whether you just experienced this crisis or it is in your past. What you choose to do depends on you and your situation. We suggest that all of the following be considered for your safety and well-being.

- Go to a safe place or call someone to help you. It is important that you protect yourself from further assault. Consider contacting the police for protection if necessary.
- DO NOT STRAIGHTEN OR CLEAN UP THE SCENE OF THE ASSAULT.
- DO NOT COVER UP A PHYSICAL INJURY.
- DO NOT BATHE.
- DO NOT DOUCHE.
- DO NOT CHANGE CLOTHES.
- DO NOT URINATE – Especially if you think you might have been given a date rape drug.

**Note:** These are important because evidence can be gathered at the scene by the police, and on your body and clothes by a Sexual Assault Nurse Examiner (SANE – see below) to be used in legal proceedings.

If the incident occurs after hours, on the weekend, or during campus closure, we encourage sexual assault victims to seek assistance from the following community agencies:

Shelter from the Storm (24/7): 963-9261 (Hotline)  
Police Emergency (24/7): 911  
Grande Ronde Hospital (24/7): 963-8421  
Center for Human Development (24/7): 962-8800

To ensure that your physical, mental, emotional and safety needs as a student are taken care of, we encourage you to tell an EOU faculty or staff person what happened to you. Some safe places to go on campus and to find a campus advocate would be:

Student Counseling Center (8-5, M-F): 962-3524 (Confidential Support)  
Student Health Center (8:30-4:30, M-F): 962-3524 (Confidential Support)  
EOU Campus Advocate (list of names/contact info are located on the web at  
<http://www.eou.edu/saffairs/sex>)  
Women's Center (9-5, M-F): 962-3021  
Your RA or Hall Director (24/7)  
Campus Safety and Security (24/7): 962-3911  
\*Office of Student Affairs (8-5, M-F): 962-3635

\* NOTE: The Office of Student Affairs is also an available resource. But know that if an offender's name is reported (either verbally or in writing) the University may be required to take action with the offender without the consent of the victim.

Upon notifying a faculty/staff person, you will likely be referred to a trained sexual assault campus advocate whose job would be to emotionally support you, provide resources and information for your healing, and share, as well as walk you through the reporting options. If you are not offered the assistance of a campus advocate, contact the Office of Student Affairs (541-962-3635) for assistance. We strongly encourage you to utilize the campus advocate services.

There are two methods of reporting – legal and on-campus.

- **Legal reporting:** to law enforcement. Having the police take a report of your sexual assault does not necessarily mean you will go to court or that the prosecution of your alleged perpetrator will take place. It does mean, however, that if substantial evidence is gathered and the District Attorney thinks there is a case, it may go to court. We encourage sexual assault victims to file a police report for two reasons: 1) to have the incident on record even if charges are never filed and 2) to give the victim the option of having a forensic exam completed to gather physical evidence from the body. (Note that the

forensic exam is only an option if the sexual assault occurred within the last 84 hours.) If you choose to make a police report, then you would be referred to the Union County Sexual Assault Response Team (UC-SART).

The SART is comprised of:

- a law enforcement detective (who would take a police report);
- a Sexual Assault Nurse Examiner (who would gather forensic evidence and/or provide for immediate medical care, emergency contraception, STD testing, prophylactics, etc), and
- a sexual assault advocate from Shelter from the Storm (who would provide emotional support, resources and help you navigate the legal system).

Even while you work with and receive services from these professionals in the community, your campus advocate will continue to be available to you as you desire. Your campus advocate will also suggest that you meet with a counselor at EOU's Student Counseling Center.

If, however, you decide that you do not want to report the incident to law enforcement and you do not want forensic evidence of the assault to be gathered, then your campus advocate will:

- refer you to EOU's Counseling Center (so you can talk through the incident and make sure that your academic, social, and personal goals are not severely compromised by what you experienced).
  - refer you to the Student Health Center (so you can receive a physical exam, STD testing, prophylactics, and talk with a Nurse Practitioner regarding any concerns you have about what happened to your body).
- **On-campus reporting.** If the alleged perpetrator is an EOU student, your campus advocate would explain your options regarding filing a student conduct complaint against that student. Your advocate will also be available to you throughout the judicial process so you do not feel alone or intimidated in trying to take care of yourself.

### **What To Do If A Friend Or Acquaintance Is Raped**

The following suggestions are offered as guidelines for anyone assisting a sexual assault victim during the crisis or time period following. Victims may react in various ways - they may be calm, numb, upset or hysterical. They may feel angry and feel loss of control over what has happened. Feelings of safety and security may be seriously disrupted. Some victims see the attack as at least partly their fault and have feelings of guilt.

### **What can you do?**

Immediately after:

1. If danger of further physical assault exists, assist the victim to contact the police and/or find a safe place.
2. Suggestions for an approach to the victim:
  - Listen in a way that supports and validates the victim's feelings, encouraging free expression. Let the victim talk or cry.
  - Believe whatever the victim says and do not make contradictions.
  - Be compassionate, supportive and patient. Let the victim know you care by helping in any way.
  - Let the victim make their own choices while encouraging action and recovery.
  - Assure the victim that they are not to blame.
3. Help the victim:
  - Receive immediate medical/legal care (by contacting community resources listed above if EOU personnel are unavailable).
  - Contact a safe person on campus at one of the departments listed above.
4. Remember, the victim needs to make his/her own choices – respect their decision.