

CAMPUS PROCEDURES IN RESPONSE TO SEXUAL ASSAULT, DOMESTIC VIOLENCE, & STALKING

The goal of these procedures is to clearly define professional staff roles and expectations and enhance communication in order to minimize the re-victimization of victims/survivors, reduce trauma to the campus community, and increase access to victim-service resources.

This document will supersede any other campus-wide procedures or protocol addressing these issues.

We recognize that a victim/survivor may come forward to a professional staff person, law enforcement officer, or peer. The following guidelines should be followed regardless of the initial point of contact:

- **Victims/survivors should be assessed for immediate safety and medical needs.**
- **Victims/survivors should be offered concise and accurate information about available resources on and off campus.**
- **Victims/survivors should be offered the opportunity to activate SART when applicable, with or without accompaniment by a law enforcement officer.**
- **Communication within and between departments is critical to an effective victim-service response.**
- **Victims'/survivors' confidentiality rights and their choice whether or not to involve police must be respected.**
- **All staff persons responding to victims/survivors need to clarify the limitations by which confidentiality can be protected.**
- **Should victims/survivors choose not to report the incident to Campus Police, all staff must complete appropriate documentation (i.e. Incident Reports and Clery Reports) and submit the report to the respective departmental authority for tracking purposes or as an FYI if future action could be taken.**
 - **All documentation should be specific and inclusive.**
 - **Language alluding to physical abuse, violence, and/or sexual misconduct, shall prompt immediate action to be taken by the professional staff, including but not limited to, “informal professional consultations” with the Office of Community Standards, Campus Police, Office of Anti-Violence Initiatives, etc.**
- **In all situations, the OAVI is available for consultation, debriefing, and to address practical needs of victims/survivors and/or service providers.**
- **All communication or interaction with the alleged violator will be initiated and led by the Office of Community Standards or Campus Police Services.**

Responding to Incidents of Sexual Assault, Domestic Violence, & Stalking:

Campus Police Services

- All persons should inform the victim/survivor of the opportunity to report the incident with Campus Police. The timeline for this process can be crucial when dealing with legal action.
- When Campus Police are involved in an incident, the Vice President for Facilities Management, Construction & Safety (VP-FMC&S), serving as the communication coordinator, will inform the following:
 - Vice President for Student Affairs
 - Residential Education & Housing (Res. Ed.) professional staff on duty
 - Public Affairs
- When a Clery report is filed and received by the Administrative Sergeant/Clery Specialist, the VP-FMC&S will notify OAVI of its receipt in a timely manner as an FYI.
- In an effort to prepare staff to assist victims/survivors and/or the community, the VP-FMC&S will keep the Res. Ed. professional staff on duty and the Vice President for Student Affairs informed in the following situations:
 - To advise when a victim/survivor is to return to campus from the hospital or SART activation.
 - To inform if an investigation will take place.
 - To provide information about which rooms, if any, will be secured for the purposes of an investigation.
- With the permission of the victim/survivor, a second interview with the victim/survivor will take place after preliminary investigation, or subsequent to an emergency room visit for a medical exam or to provide forensic evidence through the SART process. An advocate and/or staff support can be present during this meeting.
- As per the “Timely Warning Protocol”, all levels of security notifications pertaining to these issues will be distributed to the campus community following consultation with one or more offices within the Office of Student Affairs.

Crime Scene

- Once Campus Police arrive on the scene, they are in charge.
- If necessary, the crime scene(s) will be secured by law enforcement officers.
- The crime scene(s) is (are) off-limits to all students and staff. Access must be approved by the Campus Police supervisor.
- Evidence collection and investigation will be the responsibility of Campus Police. Typically, there will be two officers on the scene. The area will be cleared to allow Campus Police to speak with the victim/survivor and other involved persons (one officer with victim/survivor and one with other parties).
- Campus Police will encourage medical attention. If the victim/survivor agrees, she/he is escorted to the hospital by Campus Police. Support (friends) can meet the victim/survivor at the hospital. Upon request from the victim/survivor, when it will not hinder an investigation, supporters can accompany victim/survivor to the hospital.
- All communications regarding crime scene clean up, should be directed to and be initiated by Campus Police.

Sexual Assault Response Team (SART) In case of a sexual assault, the SART process is initiated at the request of victim/survivor (this includes the presence of both a SANE Nurse and Advocate). SART procedures can be activated and provided free of charge with or without law enforcement involvement, even if victim/survivor hasn't yet decided to press formal charges. Forensic exam information is held for up to 90 days if victim/survivor is not ready to decide. **Note: The advocate's training and certification affords her/him confidentiality and can be used to block subpoenas. All other non-advocates could potentially be subpoenaed.**

Office of Anti-Violence Initiatives (OAVI)

- Victims/survivors will be given clear and concise information about available resources so they can be empowered to make their own decisions.
- The OAVI Coordinator functions as a resource to provide services to victims/survivors and/or persons impacted by the incident, including, but not limited to:
 - Providing additional resources/referrals on or off campus. Providing counseling services.
 - Debriefing for victims/survivors, witnesses, and/or first responders at any point throughout the victim-service process (TCNJ staff, CA's, Campus Police, friends of victim, etc.)
 - Serving as a support, advocate, and/or liaison during the pursuit of legal action or campus disciplinary process.
- The OAVI Coordinator will review legal options listed in the *Survivor's Guide to Sexual Assault*.
- The OAVI Coordinator oversees the Initial Contact Advocacy Network (ICAN) of TCNJ professional staff, who function as empathetic listeners and are well versed in the resources both on and off campus. Victims/survivors who choose to activate ICAN will be treated consistent with the CARE philosophy that governs OAVI—Choice ~ Advocacy ~ Respect ~ Empowerment.
- The OAVI Coordinator and ICAN members are College Security Authorities responsible for submitting either Anonymous Reports or Incident Reports depending on the victim/survivor preference. No identifying information is included in Anonymous Reports and most often these reports are written in the company of the victim/survivor who is reporting the incident.

Office of the Vice President for Student Affairs

- Vice President for Student Affairs will contact staff as appropriate so they can be prepared in case an alleged victim/survivor chooses to follow-up with relevant resources on campus. Appropriate Student Affairs offices include, but are not limited to, the Office of Anti-Violence Initiatives, Psychological Counseling Services, Community Standards, Health Services, and Student Activities and Leadership Development, and Differing Abilities, Athletics.
- Once initial contact is made with the appropriate staff, persons from within the functional area will provide consistent communication with the Vice President for Student Affairs (or designee). Communication may include, but is not limited to, the following: timeframe for police presence in residence hall(s); plans for hall debriefings; status of alleged violator; accommodations for alleged victim/survivor; or any other information as deemed necessary.
- In situations when Public Affairs is involved, the Vice President for Student Affairs will consult with the Public Affairs representative to ensure the accuracy of disseminated information.

Office of Community Standards

- The Office of Community Standards will work with both the alleged victim/survivor and alleged violator to ensure that policies and procedures are clearly explained, resources are made available, and due process rights are upheld.
- All students will be treated with equal care, respect, and dignity.
- Should the Director of Community Standards (or designee) in consultation with the Vice President for Student Affairs determine that a threat to health and/or safety of the campus community exists, an interim suspension may be mandated for the alleged violator pending the outcome of a judicial hearing. No permanent changes will be made to the alleged violator's campus housing assignment pending the outcome of a judicial hearing.
- If found to be a non-student, the alleged violator will be barred from the TCNJ campus community.
- At the conclusion of the disciplinary process, should a student be found responsible for violations of the conduct code, relevant campus offices will be informed of outcomes which affect their business processes. For example, if a resident student is found responsible and sanctioned to "removal from housing", the Director of Community Standards (or designee) will send written notice to the RD of the building, AD of the area, Director of Housing Operations, and Campus Police. (This document will include information regarding when s/he is allowed in the building to remove items, who will be contacted to escort her/him, if s/he must remove all items, if a date of return is set, etc.)
- In situations when an arrest is made, the Director of Community Standards will work in conjunction with Campus Police Services and the Mercer County Prosecutor's Office to support any relevant court mandates which effect the campus or alleged violator's student status.
- Alleged violators and complainants will be informed of the relevant outcomes following a disciplinary process (as per FERPA exception for violent crimes 34 CFR §99.31(a)(10) and §99.36.)

Residential Education & Housing Department (Res. Ed.)

- Res. Ed. professional staff will contact the Director of Housing Operations for all serious incidents.
- Res. Ed. professional staff on-call/on duty will serve as the staff point-of-contact for the victim/survivor.
- If the victim/survivor chooses not to interact with professional staff and/or be kept anonymous, the professional staff will work through the student staff involved to ensure proper protocol is followed, appropriate resources are offered and a Clery Report is generated.
- In situations where Campus Police are involved, Res. Ed. professional staff will serve as the liaison to Campus Police and update the Director of Housing Operations and the Vice President of Student Affairs (or designee).
- Res. Ed. professional staff will follow-up with the victim/survivor in the following situations or as needed.
 - To provide referrals/resources for legal, medical, judicial, emotional, and other relevant needs.
 - To accompany the victim/survivor or assist in finding another person, including the Coordinator for OAVI, to accompany the victim/survivor to any resource.
 - To seek permission to follow-up with the victim/survivor and provide additional support through the victim's/survivor's preferred method of contact.

- To determine if the victim/survivor feels safe in her/his current residential assignment, class assignment or while involved in any other activity shared with the alleged violator.
 - For residential safety concerns— Res. Ed. may make alternate housing arrangements for either the victim/survivor or the victim's roommate(s).
 - For shared classroom or activity safety concerns— Res. Ed. should contact the Office of Community Standards (or designee)
- In situations where an alleged victim/survivor or violator is residentially displaced for investigation reasons, arrangements will be made through collaboration between Res. Ed. and Campus Police (see Campus Police Crime Scene section for more information.)
- It is important to minimize the number of people involved in the process of gathering information whether or not law enforcement is involved. The more people involved, the more convoluted the case becomes.
- Non-professional Res. Ed. staff should recognize personal limitations and the need to appropriately balance their position with their academic and personal lives. Student staff should attempt to remove themselves from the situation as soon as the victim/survivor has been connected with appropriate resources and short-term follow-up has been made.
- Outside of daily operations, Res. Ed. professional staff should limit communication and interaction with the alleged violator to clarify policies and procedures consistent with the information given by the Office of Community Standards.

Res. Ed. Student Staff Sexual Assault Guidelines:

- Ask the victim/survivor if they are comfortable and feel safe speaking with you in the current location. If not, work with the victim/survivor to find a more suitable location.
- Inform the victim/survivor about confidentiality limitations, including the need to inform the supervisor or professional on call and the possibility of a campus-wide alert if it is determined that the campus community could be at risk.
- Take note of information that the victim/survivor may provide (i.e. is the individual an acquaintance or a stranger, a resident or non-resident, did the alleged violator use a weapon, etc). Never provide a victim/survivor with contact information for an alleged violator.
- **At no time should a Res. Ed. staff member confront an alleged violator of a sexual assault.**
- Inform the victim/survivor of the on-campus and off-campus resources available to him/her.
- Offer to accompany the victim/survivor, or assist in finding another person to accompany the victim, including the Coordinator of OAVI, to any of the above mentioned resources.
- Ask for permission to contact the victim/survivor so as to follow-up and provide additional support. Make sure to inquire as to the most appropriate method of contact.
- Determine if the victim/survivor feels safe in their current residential assignment. If the alleged violator lives on the same floor or in the same building, determine if the victim/survivor is interested in a temporary relocation. Inquire if the victim/survivor shares any classes and/or other activities with the alleged violator.
- Anonymously document the situation; refrain from providing any information that identifies the victim/survivor (i.e. name, room number, ID number, etc). Submit the anonymous report to your supervisor and/or the professional staff member on call within 4 hours of the time the assault was reported to you.