

sexual
UNDERSTANDING
assault



DRAKE UNIVERSITY DEAN OF STUDENTS OFFICE

Understanding Sexual Assault

Sexual assault is widely considered to be the most underreported violent crime in America. Drake University is committed to educating the campus

community about the nature and consequences of this offense. University resources dedicated to both prevention and response include educational outreach programs, counseling and academic support services for victims.

Sexual assault perpetrated by a student is punishable by sanctions up to and including expulsion from the University. Criminal sanctions may also be imposed on assailants and civil damages may be awarded to victims of sexual assault.

DEFINING SEXUAL ASSAULT

The following summarized definition, based on Iowa law, appears in the Drake Code of Student Conduct:

Sexual abuse [assault]: Any sexual contact or sex act that is done by force or against the will of another, including, but not limited to, situations where consent of the other is obtained by threats of violence toward any person or if the sex contact or sex act is done while the victim is incapacitated beyond consent (such as by alcohol or a drug-inducing sleep) or where the victim is unconscious.

Contrary to widespread stranger-rape myths, in the vast majority of cases of sexual assault — between 80 and 90 percent — the victim and assailant know each other. In fact, the more intimate the relationship, the more likely it is for a rape to be completed rather than attempted. Half of all student victims do not label the incident “rape.” This is particularly true when no weapon was used, no sign of physical injury is evident and when alcohol was involved — factors commonly associated with campus acquaintance rape.

(Source: National Institute for Justice)

THE CONCEPT OF CONSENT

The concept of consent can be important in situations involving allegations of sexual abuse or assault. Sometimes one of the parties involved will take the position that he or she had the consent of the other party. The concept recognizes that one does not consent to be acted on by someone else unless he or she both wishes to be acted upon and communicates that wish to the actor by word or action.

WHAT TO KNOW ABOUT CONSENT

- Consent is present when someone by word or by clear, unambiguous action agrees, gives permission or says yes to sexual activity with someone else. It is always freely given and each participant in a sexual situation must feel able to say “yes” or “no” at any point during sexual activity.
- Consent to one form of sexual activity does not automatically imply consent to other forms of sexual activity.
- Consent means the participants are both deciding, at the same time, to do something with one another.
- There are circumstances when consent is given, but it is not valid. Consent is invalid when forced, threatened, intimidated, coerced, when given by a mentally or physically incapacitated person, or when given by a person under age 16.
- Each person is responsible for respecting another’s boundaries and for finding out what those boundaries are if they are unclear.
- “No” means no, and, in some circumstances, silence and passivity do not equal permission.
- Consent can be withdrawn at any time.

(Source: The 2004 NCHERM Campus Sexual Misconduct Judicial Training Video Seminar, The National Center for Higher Education Risk Management.)

IF YOU ARE A VICTIM

What to do immediately after a sexual assault

(adapted from RAINN—the Rape, Abuse and Incest National Network)

- Find a safe environment—away from the assailant. Ask a trusted friend to stay with you for moral support.
- Focus on taking care of yourself and your best interests.
- Report the assault to police by calling 911 (9-911 from a campus phone) and/or to Campus Security. Security phones that connect directly to Campus Security are located inside buildings and in heavily traveled outdoor locations across campus.
 - Preserve evidence of the assault—don't bathe or brush your teeth or wash your clothes.
 - Write down all the details you can recall about the assault and the assailant.
- Go to the emergency room.
 - Ask the hospital to conduct a rape kit exam to preserve forensic evidence.
 - If you suspect you were drugged, ask that a urine sample be collected.
 - Des Moines hospitals:
 - Broadlawns Medical Center, 1801 Hickman Road
 - Iowa Lutheran Hospital, 700 E. University Ave.
 - Iowa Methodist Medical Center, 1200 Pleasant St.
 - Mercy Medical Center, 1111 Sixth Ave.
- Even if you believe that you will never report, still consider:
 - Getting medical attention. Even with no physical injuries, it is important to determine the risks of STDs and pregnancy.
 - Calling the following hotlines for free, confidential counseling, 24 hours a day:
 - National Sexual Assault Hotline, operated by RAINN, 1-800-656-HOPE
 - Iowa Sexual Assault Hotline, operated by Iowa Coalition Against Sexual Assault, 1-800-284-7821
 - Polk County Crisis and Advocacy Services, 515-286-3600

REMEMBER

- Sexual assault is widespread — but widely unreported — in communities of every race, culture, religion, gender identity or expression, sexual orientation, and socioeconomic class.
- “Acquaintance rape” or “date rape” is just as serious as sexual assault committed by a stranger.
- Even if the victim was drinking or using drugs, dressed provocatively, or flirting, a sexual assault is not the victim’s fault; the legal responsibility for sexual or physical assault rests completely with the assailant.
- Men can be victims of sexual assault and relationship violence; women can be perpetrators of these crimes; and sexual assaults can occur when the assailant is the same sex as the victim.
- Victims/survivors of *attempted* sexual assaults are also entitled to the same resources.

OBTAINING INFORMATION, SUPPORT AND COUNSELING

Role of Student Life staff

If an assault/sexual abuse victim decides to discuss the incident with a resident assistant, hall coordinator, Director of Fraternity and Sorority Life, Director of Residence Life, or any other member of the Student Life staff (excluding the University Counseling Center staff), the incident will be reported to the Dean of Students Office, which may in turn report it to Campus Security and the Des Moines Police.

DRAKE’S DISCIPLINARY SYSTEM

The University has its own disciplinary system which is administered by the Dean of Students Office. After an incident has been reported, a Drake University investigation into the incident may be initiated, including meeting separately with the victim and the alleged assailant. Where the alleged assailant is a student, appropriate University disciplinary procedures will be followed. The dean of students may pursue a charge of non-academic misconduct against an alleged assailant of a sexual offense whether or not the victim has elected to “press charges” or otherwise pursue criminal or civil remedies and even when the Polk County Attorney has not initiated criminal charges. This may also include suspension of the accused, where there is evidence that the continued presence of the accused on campus poses a substantial threat to students, faculty, staff or University property. Ultimately, sexual offenses are punishable by sanctions up to and including expulsion from the University. For a complete

description of the disciplinary process, please refer to the Code of Student Conduct in the Drake University Student Handbook.

Upon request by the victim, the University will assist in changing his/her academic, living and work situations, if such changes are reasonably available. Depending on the circumstances, the University may also initiate a reassignment of the alleged assailant's student housing when deemed to be in the best interests of those involved.

VICTIM AND WITNESS IMMUNITY

Drake encourages the reporting of assault and sexual misconduct. Sometimes, victims or other students who know about the incident are hesitant to report to University officials or seek assistance because they fear that they themselves may be charged with policy violations, such as underage drinking at the time of the incident. To encourage reporting, Drake offers immunity from University disciplinary action for lesser policy violations that students reporting the assault/sexual assault may have committed. The University will provide referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases. Excluded from this grant of immunity are all students accused of encouraging or voluntarily participating in the assault/sexual assault.

UNIVERSITY POLICY

Assault and sexual assault are unacceptable and will not be tolerated at Drake University.

The University urges any individual who has experienced assault or sexual assault to report to both the Des Moines Police and the University (Campus Security, Dean of Students, Student Life staff, hall coordinator, RA). A report of a sexual assault to the University will be addressed promptly. An investigation will be handled with discretion and confidentiality will be maintained to the greatest extent possible. Drake is also committed to providing the victim with information regarding on- and off-campus services and resources.

CONTACT INFORMATION

If you have any questions about Drake's assault and sexual abuse policy and/or you would like to report a sexual assault, please contact the Dean of Students Office located in room 202 of Old Main.

Phone: 515-271-2835

E-mail: deanofstudents@drake.edu

Web site: www.drake.edu/dos

ADDITIONAL RESOURCES

ON CAMPUS

Campus Security 515-271-2222
www.drake.edu/security

Counseling Services 515-271-3864
www.drake.edu/students/counseling

Dean of Students Office 515-271-2835
www.drake.edu/dos

Office of Residence Life 515-271-3781
www.drake.edu/students/orl

Student Health Center 515-271-3731
www.drake.edu/students/health

OFF CAMPUS

Des Moines Police 515-283-4824
(non-emergency)

SUPPORT SERVICES

Iowa Sexual Assault Hotline, 1-800-284-7821
operated by Iowa Coalition Against Sexual Assault

National Sexual Assault Hotline, 1-800-656-HOPE
operated by RAINN

Polk County Crisis and 515-286-3600
Advocacy Services 515-286-3535

DES MOINES HOSPITALS

Broadlawns Medical Center 515-282-2200
1801 Hickman Road

Iowa Lutheran Hospital 515-263-5612
700 E. University Ave.

Iowa Methodist Medical Center 515-241-6212
1200 Pleasant St.

Mercy Medical Center 515-247-3121
1111 Sixth Ave.



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