



Office for Institutional Equity

## **SEXUAL VIOLENCE RESPONSE GUIDE**

### **Introduction**

The purpose of the Sexual Violence Response Guide is to provide useful information for faculty, staff, students and visitors to Cleveland State University when they believe sexual violence has occurred or may have occurred. The goal is to encourage access to services.

The CSU Title IX Coordinator serves as the primary contact and a resource for sex-based offenses, which include sexual assault, sexual misconduct, domestic violence, dating violence, stalking, discrimination and sexually harassment. The Title IX Coordinator is the Director of the Office for Institutional Equity. The Office for Institutional Equity is located in the Parker Hannifin Administration Center (AC), Room 236 and can be contacted at 216-687-2223 with more information available at <http://www.csuohio.edu/institutional-equity/institutional-equity>

### **What is Sexual Violence?**

Sexual Violence is any non-consensual sexual act, including but not limited to rape, sexual assault, sexual battery and sexual coercion. Sexual violence also includes relationship violence. Examples of sexual violence include, but are not limited to: non-consensual sexual contact, non-consensual sexual intercourse, compelling a person to touch his or her own or another person's intimate parts without consent or by coercion.

Consent is a clear and freely given agreement for sexual contact.

- Consent is an ongoing process — consent to kissing does not necessarily mean consent to other sexual activity.
- Also, consent to sexual activity on one occasion does not necessarily mean continual consent — everyone involved must give and receive consent to sexual activity every time, even when involved in a long-term relationship or marriage.
- Saying nothing is not the same thing as consent, and non-resistance is not the same thing as consent.
- In order for consent to exist, everyone involved must be fully conscious, aware of the situation and free of any coercion.

Coercion is any kind of pressure or persuasion used to influence a person's decision to engage in sexual activity. Coercion can be physical, verbal or emotional.

- Physical coercion is the most recognizable kind of pressure and includes actions such as holding someone down or continued kissing or sexual activity even when being told "no" or being pushed away.
- Verbal coercion includes behaviors like threats of physical violence, blackmailing, lying, name-calling or asking repeatedly for sexual involvement after being told "no."
- Emotional coercion is the most subtle type of pressure and includes actions like making someone feel obligated or guilty for not wanting to engage in sexual activity, using peer pressure, threatening to break up, etc.
- Sexual assault can happen to both men and women, and both men and women can be sexual assailants. It also can happen between people of the same sex.

- Sexual assault can occur between strangers or people who know each other, even those who are in a long-term relationship or are married.

Sexual assault is not about sex or an assailant's sexual desires. It's about exerting power and control over another person. This means that regardless of how someone dresses or acts or where or how they choose to spend their time, a person who is sexually assaulted is never to blame for the assault. The only person responsible for the assault is the assailant.

### **Men and Sexual Assault**

There are many assumptions about sexual assault and men's sexuality that create a harsh environment for men who have been sexually assaulted, and it's important to distinguish the myths from the realities. The most important things to remember are that men can be sexually assaulted; men who have been sexually assaulted experience emotional reactions to their assault; men who have been assaulted are entitled to the same medical, legal and emotional support. **Men who have been sexually assaulted are never to be blamed for their assault.**

- It is a myth that all men are always looking for or willing to participate in sexual activity. Consent to sexual activity needs to be expressly given by men as well as women. Not wanting to engage in sexual activity does not make someone less of a "real" man.
- It is a myth that men are only sexually assaulted by other men. Women can sexually assault men. Remember that sexual assault does not always involve penetration, but includes any unwanted sexual contact.
- It is a myth that gay men are more likely to assault other men, or that all men who sexually assault other men are gay. Sexual assault is not about lust or sexual attraction, but about exerting power and control over someone else.
- It is a myth that men who get an erection or ejaculate during a sexual assault gave consent or enjoyed the assault. Erection and ejaculation are physiological responses that can't be controlled and can even result from stress. These responses can be confusing for a man who has been sexually assaulted and can make him wonder if he really did enjoy or want the sexual contact. An erection or ejaculation does not equal consent.
- It is a myth that a "real" man can and should always be able to resist an assault. It is common for both men and women to freeze during a sexual assault, and in some cases drugs, alcohol or the presence of a weapon or the threat of other force or injury can prevent someone from fighting their assailant.

### **What To Do If You Have Been Sexually Assaulted**

People who have been sexually assaulted react in many different ways — there is no right or wrong reaction. Listed here are some important things to consider. Even if your assault happened days, weeks, months or years ago, it is never too late — or less important — for you to seek help and start your healing process.

- Get to a safe place as soon as you can. If the assailant poses an immediate danger to you or anyone else, alert the police as soon as possible.
- Once you are safe, contact someone you trust to be with you for support. This could be a friend, family member, a resident assistant or even a specially trained sexual assault advocate.
- Try to preserve all physical evidence, even if you don't know if you want to report the assault or press charges.
  - Do not eat, drink, bathe, shower, wash your hands, use the toilet or brush your teeth.
  - Don't change your clothes if possible, but if you need to change, put all of the clothes you were wearing in a paper bag and bring them with you to your medical exam.
  - Take a minute to write down everything you remember about the assault, including a description of the assailant.
- You should seek medical care as soon as possible, even if you don't have any apparent injuries.

- Contact the police to report the assault. Reporting doesn't mean you have to press charges.
- Seek emotional support to help sort out your feelings about the assault.

### **Seeking Medical Care**

You should seek medical attention as soon as possible after a sexual assault for the treatment of physical injuries (including internal injuries that you might be unaware of), prevention of sexually transmitted infections and evaluation of the risk of pregnancy.

Even if you are unsure about reporting your assault or pressing charges, you should have a sexual assault nurse examiner (SANE) perform a sexual assault evidence collection exam up to 120 hours after the assault. They can gather and preserve the evidence and store it for you in case you decide to pursue legal action. A sexual assault evidence collection exam, also called a SARS (Sexual Assault Resource Services) exam, can be obtained at a hospital emergency room.

### **What Happens During A Post-Sexual Assault Exam?**

After being sexually assaulted, it is common to feel uncomfortable, uncertain or even afraid of the idea of a medical exam. Doctor visits can be awkward even under routine circumstances. It might be difficult to let a stranger touch your body during the medical exam, but remember that you have a lot of control over the situation.

You can ask the doctor or nurse to talk you through the procedures, and you are welcome to ask questions about the process at any time. You are also within your rights to request a female or male staff member, whichever makes you most at ease. Also, you can refuse any part of the treatment at any time if you feel uncomfortable. You can also have someone with you — friend, family member or advocate — during the entire process.

Below is a description of what you can expect during a post-sexual assault exam:

- You will be asked about your general health and medical history. If you are a female, the nurse will ask about the date of your last period and whether or not you use any contraception.
- You will be asked to describe the assault. Although it might be difficult for you to talk about, it is important to be open and forthcoming with the nurse so that they will know what kind of injuries to look for during the exam.
- The nurse will check your vital signs — temperature, blood pressure, heart rate and respiration rate — then will examine your body for any injuries including bruises, cuts, scrapes, etc. The nurse might ask to take photos of your injuries for documentation, but photos will only be taken with your consent.
- If you are a female, you will have a pelvic exam. The pelvic exam will be much like a routine gynecological exam — including the use of a speculum in the vagina — but the nurse will also check for injuries and collect DNA evidence.
- Blood and urine samples will be tested for infections and/or pregnancy. These samples can also confirm the presence of any “date-rape” drugs in your system.
- Depending on the details of the assault, the nurse might take samples from your mouth, rectum or under your fingernails.
- You might be offered medication to reduce the risk of contracting certain sexually transmitted infections, and you might also be given the “morning-after pill.”

### **Reporting To Law Enforcement**

Persons who are victims or survivors of sexual offenses are encouraged to contact CSU Police or local law enforcement. Reporting an act of sexual violence to CSU Police may not require criminal prosecution; however, it does allow the University to assist and provide resources. The Cleveland State University Police Department is located in the Campus Safety Building at 1840 Chester Avenue and can be contacted at 216-687-2020 and more information about the CSU Police Department can be found at

<https://www.csuohio.edu/police/police>

### **Seeking Civil Protection**

Persons who seek a civil protection order in Cuyahoga County, Ohio, should contact the Cuyahoga County Domestic Relations Court for a Domestic Violence Protection Order or the Cuyahoga County Common Pleas Court for a Stalking Order Protection. Where applicable, the rights of victims and the University's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil or tribal court will be considered and followed. Notice of such court orders should be provided to the Office for Institutional Equity as soon as possible in order for the University to evaluate interim measures and comply with court orders.

### **Duty to Report**

Any employee, student, campus visitor or person participating in a university activity, whether on or off-campus, who believes he or she has experienced or witnessed a sex-based offense, discrimination and/or harassment is encouraged to report the incident(s) promptly. While all individuals are encouraged to report, certain individuals are required to do so in accordance with applicable laws and policies. Prompt reporting of complaints is vital to the University's ability to resolve the matter.

According to CSU's Discrimination/Harassment Policy, any executive or administrative officers, dean, chair/director; faculty or administrative supervisor; faculty member; coach; or human resources consultant who becomes aware of information that would lead a reasonable person to believe that a sex-based offense, discrimination and/or harassment has occurred will notify the Office for Institutional Equity, by ensuring that a Discrimination/Harassment Complaint Form or other appropriate documentation is filed within five working days of becoming aware of the information. Graduate assistants and student employees have a duty to report violations of this policy of which they become aware in the course of their duties when these duties include responsibility for the safety and wellbeing of other members of the campus community or if they have supervisory, evaluative, grading, or advisory responsibility over other members of the campus community.

In addition to the duty to report sexual misconduct to the Office for Institutional Equity in some circumstances there is a duty to report allegations of criminal conduct to law enforcement authorities. Ohio law (Ohio Revised Code § 2921.22) requires every person who knows that a felony has been or is being committed, to report it to law enforcement authorities. It is a criminal offense to knowingly fail to make the report. If you suspect or have knowledge of criminal activity occurring on university property, call CSU Police at (216) 687-2111 (in an emergency, please dial 911). Incidents that occur off campus should be reported to local law enforcement.

### **Confidentiality**

Information received in connection with the filing, investigation, and resolution of allegations will be treated as confidential except to the extent it is necessary to disclose information in the course of the investigation, for the purposes of addressing conduct or practices that violate the policy, or when required to do so by law. All persons involved in the process should observe the same standard of discretion and respect for the privacy of persons involved in the process.

Please note there are confidential resources (those that do not have a duty to report to CSU Police and/or the Office for Institutional Equity) identified with an "\*" in the Resources Section.

### **Resources**

Emergency: Call 911

#### Crime Reporting

CSU Police Department 216-687-2020, <https://www.csuohio.edu/police/police>

Cleveland Police Department 216-623-5000

Cleveland State Anonymous Reporting Hotline 888-837-1824

#### Campus Resources

CSU Office for Institutional Equity 216-687-2223

CSU Office of Judicial Affairs 216-523-7346

CSU Ombudsperson

CSU Residence Hall Director

#### Medical Assistance \*denotes a confidential resource

CSU Health and Wellness Services 216-687-3649\*

Cleveland Clinic Hospitals 888.223.CARE

University Hospitals 1-866-UH4-CARE; 1-866-844-2273  
Metro Hospitals 800-554-5251

Counseling Services \*denotes a confidential resource

CSU Counseling Center 216-687-2277\*

CSU Employee Assistance Program (800) 227-6007\*

CSU Health and Wellness Services 216-687-3649\*

Cleveland Rape Crisis Center 216-619-6192\*

Domestic Violence & Child Advocacy Center of Cleveland 216-229-2420 or 216-391-HELP for emergency assistance\*

Other Resources

CSU Mareyjoyce Green Women's Center 216-687-4674

Legal Aid 216-687-1900

Witness/Victim Services Center 216-443-7345

Rape, Abuse & Incest National Network (RAINN) 1-800-656-HOPE; 1-800-656-4673

Centers for Disease Control and Prevention-Sexual Violence 800-232-4636

National Institute on Drug Abuse Hotline 1-800-662-HELP

**What if someone you know has been sexually assaulted?**

As a loved one of someone who has been sexually assaulted, there are many important things you can say and do to aid in the healing process. Each person handles such an event differently, so it's hard to say exactly what your loved one will need from you. However, here are some general guidelines:

- Listen. Letting your loved one speak and direct the conversation can help them regain a sense of control. Let them decide what they want to talk about and when they want to talk about it.
- Believe them. Our culture makes it very difficult to talk about sexual assault, and the fear of not being believed is a very real concern for people who have been assaulted. Don't contribute to that fear.
- Assure your loved one that they are not to blame for the assault, no matter what the circumstances of the assault were.
- Do not judge how your loved one reacted during or after the assault — whether they fought back or not, how long they waited to ask you for help, etc. Understand that they handled the situation the best they could.
- Be mindful when asking questions about the assault so that you don't seem judgmental, condescending or otherwise unsupportive.
- Be supportive of your loved one's decisions. Whether or not they report the assault, press charges, attend counseling, etc., is not up to you. It is important and empowering for your loved one to make their own decisions about how to proceed after an assault. But, don't be entirely uninvolved — they might ask for your opinion or advice, and some gentle encouragement to seek both medical and emotional help can be positive.
- Be respectful of your loved one's privacy. Do not share anything about the assault with anybody, including your loved one's other family members or other close friends, unless your loved one gives you clear and explicit permission to do so.
- Resist seeing your loved one as a victim. You need to continue to see them as strong and courageous. After all, talking about a sexual assault is strong and courageous. It is important that you help your loved one feel empowered and in control, which is more difficult if you don't believe it yourself.
- Accept that there might be changes in your loved one's personality or in your relationship. Sexual assault is a very traumatic experience that can change a person, and the healing process takes time.

- Be aware that you might need support as well. The assault of a loved one might make you feel anger, guilt, sadness and/or many other emotions. Take care of yourself and address your feelings as well, but be careful not to overwhelm your loved one with your own emotions. If you seek support from someone, be sure to maintain your loved one's anonymity.

### **Related Documents**

Affirmative Action, Equal Access, Equal Opportunity and Non-Discrimination/Harassment Policy Statement  
<http://www.csuohio.edu/sites/default/files/3344-2-02%20COR.pdf>

Discrimination/Harassment Policy  
<http://www.csuohio.edu/sites/default/files/3344-2-03%20COR.pdf>

The Code of Student Conduct  
<http://www.csuohio.edu/general-counsel/student-code-conduct>

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