UNIVERSITY OF CALIFORNIA, RIVERSIDE

PROCEDURE FOR RESPONDING TO REPORTED INCIDENTS OF SEXUAL ASSAULT AND RAPE INVOLVING STUDENTS, FACULTY AND STAFF

I. INTRODUCTION

The University of California, Riverside (UCR) does not tolerate sexual assault in any form, including acquaintance rape. It is important for all members of the campus community to know that anyone can be a victim or perpetrator of sexual assault. It is therefore important to know that the campus sexual assault procedure applies to all registered students, faculty and staff members (including student assistants, graduate assistants, teaching assistants, interns, and volunteers) as well as guests at UCR.

This document was developed to establish a consistent, prompt and compassionate campus-wide procedure for assisting UCR students and employees who report sexual assault, regardless of where or when the incident occurred. This document provides survivors of sexual assault with information and resources regarding access to professional help. This document also provides a standard procedure for campus representatives to use when responding to incidents of sexual assault. In addition, this document also identifies the standard procedure for compliance with the Clery Act, by which the campus community will be notified when an incident represents a threat to students and/or employees. Finally, it is the intent of this document to provide information and resources regarding the availability of comprehensive campus-wide sexual assault prevention programs and services.

II. DEFINITIONS

**Sexual Assault** refers to the definition in the California Penal Code and in Section 67385 of the Education Code. This includes forced sodomy (anal intercourse); forced oral copulation (oral-genital contact); rape by a foreign object (forced penetration by a foreign object, including a finger); and sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal). It also includes situations when the accused sexually assaults a complainant incapable of giving consent, including where the complainant is prevented from resisting due to alcohol or drugs.

**Rape** refers to the definition in the California Penal Code. Among others, the Penal Code prohibits the following acts, which are summarized as follows: a) sexual intercourse against an individual's will accomplished by force or threats of bodily injury; b) sexual intercourse against an individual's will where the person has reasonable fear that she (or he) or another will be injured if she (or he) does not submit to the intercourse; or c) sexual intercourse where the person is incapable of giving consent, or is prevented from resisting; which includes but is not limited to where the victim is prevented from resisting due to being intoxicated, drugged, unconscious or asleep.

**Survivor** is a term often used to refer to an individual who has been the target of an attempted or completed rape or sexual assault in order to validate the person's strength and determination "to survive." The term "survivor" is associated with empowerment and the assumption of control for one's life after a trauma.
Campus representative refers to any individual who, in the course of her/his duties as a University employee, is in the position to assist a member of the UCR campus community who has been assaulted.

III. INFORMATION AND RESOURCES FOR SURVIVORS OF SEXUAL ASSAULT

There are various on-campus departments and off-campus agencies that can provide information, resources and support services to survivors of sexual assault. The following is a listing of the important resources and their functions:

UCR Police Department: Call 911 or (951) 827-5222
Students, employees or visitors who experience a sexual assault on campus will receive an immediate response from the UCR Police. UCR Police can arrange for medical examinations in order to provide admissible evidence when the survivor desires prosecution through the criminal justice system.

If UCR Police are contacted, an officer will be dispatched to the scene and explain the criminal and medical procedures to the survivor. If UCR Police transports the survivor to Riverside County Regional Medical Center (951) 486-5650 for a sexual assault medical examination, then a rape crisis advocate from the Riverside Area Rape Crisis Center (951) 686-7273 and a specially trained nurse/examiner who is a member of the Riverside County Medical Center Sexual Assault Response Team (S.A.R.T) will be dispatched to the hospital to be available to the survivor. It is important to note that a nurse examiner must conduct a sexual assault examination as soon as possible to maximize the collection of evidence for criminal prosecution.

The police will interview the accused and witnesses and collect evidence. At the conclusion of the police investigation, if warranted, the accused may be arrested, or the case may be forwarded to the Riverside County District Attorney for consideration of prosecution. The services of the Victim/Witness Program (951) 955-5450 will be available to the survivor if she/he decides to file a police report. Such services include counseling, court escort and advocacy, and assistance with financial compensation.

It is important to remember that "reporting" a rape is not the same thing as prosecution through the criminal justice system. If the complainant files a report and then later refuses to prosecute through the criminal justice system or cooperate in a police investigation, there is little that the police or courts will be able to do. On the other hand, if the complainant initially decides that she/he does not want to file a police report and then, at a later date, wants to prosecute through the criminal justice system, she/he has lost the opportunity to provide the best evidence, not only in terms of immediate police investigative interviews, but also the collection of physical evidence. For these reasons, the University strongly encourages victims of sexual assault to call the police as soon as possible. (police.ucr.edu)

The Title IX/Sexual Harassment Office (Title IX/SHO) (951) 827-7070 is responsible for receiving and conducting the administrative investigation of all reports of sexual assault filed on campus by students and employees, and is available to discuss options, explain university policies and procedures, and provide education on relevant issues. The Title IX/SHO is available during weekday hours (8:00 AM – 5:00 PM). The Title IX/SHO investigation is not a criminal procedure. (titleix.ucr.edu)

Seek Medical Attention. Hospital emergency rooms and medical centers have health care professionals who are trained in dealing with survivors of sexual assault and will know exactly what to do in those crucial moments after the attack. When seeking immediate medical attention be sure that you do not bathe, douche, change clothes or eat/drink. You will be tested for any sexually-transmitted diseases or internal injuries. If you desire medical attention and you are unsure where to go, contact the Riverside Area Rape Crisis Center (951) 686-7273 for immediate help. There is also a national sexual assault network hotline number (800) 656-HOPE for information and assistance. As well, UCR students may
seek medical attention at the Campus Health Center (951) 827-3031. It should be noted that medical examinations at the Campus Health Center are not admissible for legal purposes; medical attention provided through the services of S.A.R.T. are strongly advised (this means reporting the sexual assault to the police). In addition, it is important to note that any health center or physician treating the survivor of a violent crime is obligated by law to report the crime to the police. (campushealth.ucr.edu)

Other campus resources:

Counseling Center (951) 827-5531 (for students only) offers confidential short-term and crisis counseling to students of the campus community on an emergency basis, or by appointment. Psychiatric referrals are also available.

The campus Sexual Assault Resource Services Consultant (SARSC) (951) 827-6225 is available to any member of the campus community who has been sexually assaulted or raped. The SARSC is available for crisis counseling, to discuss options, to provide support in making decisions about how to proceed, and for follow-up to help the complainant with necessary proceedings. These services are available during weekday hours (8:00 AM – 5:00 PM).

The office of Student Conduct and Academic Integrity Programs (951) 827-4208 hears student concerns and can assist in making referrals to appropriate resources.

The Women's Resource Center (951) 827-3337 offers crisis counseling and campus and community referral services.

The Lesbian, Gay Bisexual & Transgender Resource Center (951) 827-2267 offers crisis counseling and campus and community referral services.

Office of the Ombudsman (951) 827-3213 can assist anyone in the campus community by providing information about campus policies and procedures.

Human Resources (951) 827-5080 and Labor Relations (951) 827-3641 can assist employees by providing information about campus policies and procedures.

*See Section IX for additional referrals for students, faculty and staff.

IV. PROCEDURES FOR RESPONDING TO INITIAL SEXUAL ASSAULT DISCLOSURES

A. Guidelines for Campus Representatives

1. Reporting Obligations

All Members at UCR. All members of the campus community who observe what they believe to be incidents of sexual assault or rape are encouraged to report such conduct to the University Police Department immediately. Any campus member who believes that she or he has experienced sexual assault should notify the University Police or Director of the Title IX/Sexual Harassment Office immediately. A survivor may also report an assault to the Sexual Assault Resource Services Consultant (See Section D).

All Faculty and Supervisors at UCR. Institutional faculty and supervisors have the further responsibility to use their best efforts to assure that sexual assaults and rape do not occur and that they are reported if
they do occur. When a faculty member or supervisor receives a report of, or otherwise identifies a problem as being one involving a potential claim of sexual assault (or rape), the faculty or supervisor shall report the alleged incident immediately to the University Police or Director of Title IX/Sexual Harassment Office.

2. Specific Steps for Campus Representatives to follow:

**Step 1:** A UCR student, faculty or staff discloses to you that she/he was sexually assaulted or raped.

The incident may have occurred on or off campus, recently or in the past. (Note: If the individual is in a medical or psychological crisis warranting immediate intervention, follow your departmental emergency procedures and/or call 911). Call 911 for emergencies only. If non-emergency UCR police assistance is requested, call (951) 827-5222. A call to the UCR police department for assistance does not require the survivor to file a formal report.

**Step 2:** Determine if the survivor is in need of support and/or assistance regarding the incident.

**Step 3:** Communicate to the survivor that the Sexual Assault Resource Services Consultant on campus can provide assistance. The SARSC is experienced in working with sexual assault survivors and can assist in coordinating appropriate on and off-campus resources and services. The SARSC can discuss options and alternatives, help identify the most appropriate resources, and answer any questions that may arise (See Section VII for more detailed description). Determine if the survivor is interested in obtaining assistance from the SARSC.

- **If yes,** connect the survivor with the SARSC by calling (951) 827-6225 or provide the number to for the individual to contact the SARSC directly. Alternatively obtain the survivor’s telephone number to pass on to the SARSC.

- **If no,** provide printed information (See this section Step 6 below).

If the survivor does not wish to contact the SARSC, the campus representative should contact the SARSC directly for consultation and referrals. In addition, the SARSC will discuss the parameters of the information that may need to be reported to campus official (such as date, time, place and circumstances surrounding the incident) in the interests of protecting campus safety (See section VI.C regarding confidentiality).

**Step 4:** Communicate the importance of medical attention and discuss if assistance is needed at this time.

Medical attention for sexual assault survivors is vital for detecting and treating a range of medical concerns, including sexually transmitted diseases, pregnancy and apparent and internal injuries. For initial medical assistance following a sexual assault, individuals should be referred to the Riverside County Regional Medical Center Emergency Department (951) 486-5650.

**When an assault has occurred within 72 hours of disclosure,** it is essential that the survivor be aware of the option for emergency medical care and/or collection of evidence (to assist in judicial procedures), check for STDs and the prevention of pregnancy resulting from the assault. If the survivor’s desire is to receive assistance, the SARSC can assist in coordinating services. If the survivor does not desire assistance, provide printed referral information (See this section Step 6 below).

**Step 5:** Communicate the importance of psychological support and discuss if assistance is needed at this time.
If the survivor needs or requests assistance, she/he may be referred directly to the Counseling Center (for students) or Faculty and Staff Assistance Program (for faculty and staff). In addition, she/he may be referred to the Riverside Area Rape Crisis Center (951) 686-7273. When psychological support is requested the SARSC can facilitate this process.

If immediate intervention appears necessary (due to extreme distress or concerns raised about the individual’s safety or the safety of others, including suicide threats and difficulty controlling anger), call the following numbers:

If the survivor is a student, call the Counseling Center at (951) UCR-TALK (24hrs.) or (951) 827-5531 during business hours. In an emergency or after business hours, contact UCR Police Department at 911.

If the survivor is a faculty or staff member, call Faculty and Staff Assistance Program at (951) 781-0510 or (800) 266-0510. In an emergency or after business hours, contact UCR Police Department at 911 or (951) 827-5222.

If immediate assistance is not needed or requested, the SARSC can assist in coordinating services or printed referral information can be provided (See this section Step 6 below).

**Step 6:** Provide printed information containing referrals for assistance and other important information.

Printed material is available at the Title IX/Sexual Harassment Office (951) 827-7070, the Women’s Resource Center (951) 827-3337, Riverside Area Rape Crisis Center (951) 686-7273, and is available at many campus locations. (See also Section IX for a listing of referrals.)

**3. What to Do About the Accused**

If the survivor discloses information about the accused, the information should be reported to the following offices and administrators:

**a. UCR Police Department**

If the sexual assault occurs within the University PD’s jurisdiction, the police agency with jurisdiction is the UCR Police Department. If the sexual assault is reported to the UCR Police Department, the investigating officer will advise the victim about the services available on campus and in the surrounding community.

Conversely, if the accused is not a member of the UCR community and the assault did not take place in a University-related setting, UCR has no authority to take disciplinary action. Nonetheless, the UCR Police Department will assist the victim in contacting the appropriate police agency of jurisdiction.

**b. Dean of Students or to the Director of Student Conduct & Academic Integrity Program or Assistant Director of Residence Life--Judicial**

If the accused is a student or student organization, depending on the status of the student(s), report should be made to either the Dean of Students or the Director of Student Conduct & Academic Integrity Program or the Assistant Director of Residence Life, Judicial, who will arrange for an investigation of the complaint through the Title IX/Sexual Harassment Office, in accordance with the Campus Policy on Sexual Harassment. If the accused is a graduate student, report should be made to the Graduate Dean, who will arrange for an investigation of the complaint to be conducted by the Title IX/Sexual Harassment Office, in accordance with the Campus Policy on Sexual Harassment. The administrative investigation will be conducted independent of any criminal investigation.
c. Associate Vice Chancellor of Diversity, Excellence & Equity or to the Director of Human Resources or Vice Provost for Academic Personnel

If the accused is an employee of the University, report should be made to either the Associate Vice Chancellor of Diversity, Excellence & Equity or to the Director of Human Resources (for staff/administrators or student workers) or to the Vice Provost for Academic Personnel (if the employee is a faculty member). Either of these administrators will arrange for an investigation of the complaint to be conducted by the Title IX/Sexual Harassment Office in accordance with the Campus Policy on Sexual Harassment. The administrative investigation will be conducted independent of any criminal investigation.

**Note:** Services for assisting alleged or self-reported assailants may be found on page 8, B of Section VI.

V. CAMPUS NOTIFICATION PROCEDURE FOR RESPONDING TO INITIAL REPORTS OF SEXUAL ASSAULT

When it is determined that University Officials are to be notified of a sexual assault or rape incident in order to protect the safety of the individuals(s) involved and/or the campus community, notifications should proceed in the following manner:

A. Notification Based on Initial Contact

If the survivor initially contacts the UCR Police Department, the on-duty police supervisor will notify:

a. Sexual Assault Resource Services Consultant (during business hours 8:00 am - 5:00 pm); or
b. Riverside Area Rape Crisis Center (after business hours)

The on-duty Watch Commander makes notification as per the University of California Police Policy to:

a. The Chief of Police (or his designee) if the incident occurred within campus jurisdiction.

b. The UC Police will notify the campus community as appropriate in keeping with the Clery Act.

The Chief of Police (or his designee) if deemed necessary will notify the Chancellor, Vice Chancellor of Finance and Business Operations (VC/FBO) and the Director of Title IX/Sexual Harassment.

a. The Vice Chancellor (VC/FBO) at his/her discretion will then notify:

1. Vice Provost for Academic Personnel (faculty) OR  
2. Assistant Vice Chancellor of Human Resources (staff), OR  
3. Vice Chancellor of Student Affairs (student), OR  
4. Associate Vice Chancellor for Diversity, Excellent and Equity (Administrator of the UCR Sexual Assault Resource Services Team)

If the survivor initially reports the incident to the SARSC, the individual will:

a. Determine if UCR Police Department has been notified, and, if not, will proceed
to notify the UCR Police Department (if deemed necessary).

b. When the survivor is a student, the SARSC (after conferring with the AVCDEE) will notify, (if deemed necessary) the Dean of Students or the Dean of Graduate Division who will determine the necessity of notifying the following University officials about the occurrence of an assault and make the appropriate notifications to:

1. Vice Chancellor of Finance and Business Operations (if not already notified by UCR Police Department); and/or

2. Vice Chancellor of Student Affairs.

If the survivor has not contacted either the UCRPD or the SARSC, the campus representative will contact the SARSC to provide the information necessary to protect the safety of the individual(s) involved as well as the campus community in keeping with the provisions of the Jeanne Clery Act. The SARSC will then proceed as described above.

B. Notification to the Campus

When it is deemed appropriate, the Chancellor and the Vice Chancellor/FBO will be notified about the occurrence of an assault. The Chancellor (or designee) will then notify Media Relations and/or the Office of Campus Counsel as appropriate. For example, Media Relations may release specific details of the assault only when it is essential to the health and safety of the campus community.

When notification to the campus community regarding the incident is considered essential to protect the safety of campus community members, the following steps shall be followed. In order to protect privacy, no identifying information regarding the survivor will be released to the public.

1. When an official police report is filed with the UCR Police Department, the UCR PD official will coordinate communication mechanisms and distribute public safety information to notify the campus community in compliance with the provision of the Clery Act (and Campus Crime Statistics Act) and the California Penal Code, section 293(a), regarding release of victim information.

2. When an official police report has not been registered, the Vice Chancellor/FBO will coordinate communication mechanisms for distributing public safety information.

VI. SERVICES FOR ASSISTING A SEXUAL ASSAULT SURVIVOR OR ASSAILANT

A. Philosophy in Providing Services to Survivors

One of the most frightening, traumatic aspects of being sexually assaulted is the feeling of total helplessness and lack of control that survivors commonly experience. With this in mind, it is essential that campus representatives assist survivors in regaining control of their lives. Sexual assault survivors should be encouraged as much as possible to make their own decisions and choices following a sexual assault. It is not the function of any campus representative to force a particular course of action upon the survivor of a sexual assault. Instead, the duties of the representative are to make the survivor aware of the available options and alternatives, to aid the survivor in making an informed decision as to a course of action, and to enable the survivor to follow through with that decision.
B. Services to Alleged or Self-Reported Assailants

The on-campus services that may assist those who have been accused or have questions regarding behaviors constituting sexual assault include Campus Counseling Center (students), Dean of Students Office, Dean of Graduate Division, Faculty and Staff Assistance Program (faculty and staff), Human Resources (staff), Labor Relations (staff), Academic Personnel (faculty), Women’s Resource Center (students), and Title IX/Sexual Harassment Office.

C. Confidentiality

In the handling of sexual assault cases, every effort is made to maintain confidentiality. While it is essential that campus representatives honor the choices of the survivor, there are instances where it is the University's ethical and legal responsibility to disclose information regarding the circumstances related to a specific incident. Confidentiality is defined as ensuring that information is accessible only to those who have a need to know. For example, authorized representatives may share this information when the survivor or alleged perpetrator threatens her (or his) own health and safety or the health and safety of others and/or when the survivor is a minor (under 18 years of age). Legal questions regarding confidentiality should be referred to the UCR Office of Campus Counsel (951) 827-2228.

VII. SERVICE PROVISION GUIDELINES APPLYING TO THE SEXUAL ASSAULT RESOURCE SERVICES CONSULTANT AND TEAM

A. The role of the Sexual Assault Resource Services Consultant includes, but is not limited to, the duties listed below:

1. Provide emotional support and assistance in helping a survivor to identify existing needs (e.g., medical, legal, psychological, academic/job-related assistance).

2. Identify appropriate campus and/or community services to provide necessary assistance and serve as a liaison to those services as requested by the survivor.

3. Explain the options and alternatives available to the survivor including, but not limited to:
   a. Filing a police report;
   b. Obtaining aid through the Riverside County District Attorney Victim-Witness Assistance Program;
   c. Disciplinary options available within the University;
   d. The availability of mediation;
   e. Alternative housing assignments in cases involving University housing; and
   f. Academic and job-related assistance.

4. Provide follow-up as needed with the survivor to determine if services have been obtained and have met the survivor's needs.

5. Act as an educator about rape and sexual assault.

6. Provide information, support, and referrals to significant others, family and friends in order to address their concerns and facilitate the survivor's recovery process.
B. Sexual Assault Resources Services Team (SARST)

The Sexual Assault Resource Services Team is coordinated by the Sexual Assault Resource Services Consultant. The team is composed of the Sexual Assault Resource Services Consultant and UCR professional-level staff members who have received specific training in working with rape and sexual assault survivors, and of UCR students who are certified volunteers for the Riverside Area Rape Crisis Center. If the Sexual Assault Resource Services Consultant (SARSC) is unavailable to provide services a member of the SARST will be assigned to provide ongoing assistance.

B. Philosophy in Providing Services to Survivors

It is essential that the SARSC and SARST maintain confidentiality according to the general provisions (discussed in section IV. C) to ensure a climate in which survivors feel safe and in control. Further, it is essential for the SARSC and SARST to refrain from identifying a specific course of action survivors should take. Rather, they should provide information, choices and options to assist survivors in making their own decisions (except in situations where survivors are at risk of endangering themselves or others). It is important for the SARSC and SARST to act as an educator presenting options and alternatives as clearly, honestly and with as little personal bias as possible to ensure that survivors make informed choices which are in their best interests. This information should be presented in a supportive, non-judgmental manner.

C. Case Consultation between SARSC and the Riverside Area Rape Crisis Center

The SARSC will be available for consultation with and to assist the Riverside Area Rape Crisis Center in addressing concerns or questions which may arise in cases involving members of the UCR community.

D. Case Consultation between SARSC and UCR Police Department

The SARSC will be available for consultation with and assist the UCR Police Department to address concerns or questions which may arise in cases involving members of the UCR community.

E. Consultation between SARSC and Campus Departments

The SARSC may also be called upon to interact with faculty when academic assistance is necessary or with Human Resources or Labor Relations representatives when job-related assistance is necessary. The SARSC also provides consultation services to other campus departments that may need assistance regarding how to handle a sexual assault incident (e.g., the Office of Residential Life/Community Residence, and Gender and Cultural Departments). In addition, the SARSC acts as a consultant to other interested individuals (at the request of the survivor) such as the survivor's parents, roommates, and friends.

*Note: The SARSC will not provide specific or detailed legal, medical, or psychological guidance to a survivor.

VIII. CAMPUS SEXUAL ASSAULT PREVENTION EDUCATION PROGRAMS

Educational Training and Programming

The Sexual Assault Resource Services Consultant (SARSC) has the primary responsibility for providing educational programming and training to all departments providing services to or interacting with sexual assault survivors to ensure all concerned remain abreast of the latest resources issues and topics, including trends and other matters which may impact the workplace and higher education. Training on the issues of sexual misconduct (i.e., sexual assault, sexual harassment) is offered on a regular basis to campus
representatives and those who may interact with individuals impacted by sexual assault. For more information contact the SARSC at (951) 827-6225.

IX. ON-AND-OFF CAMPUS REFERRALS FOR STUDENTS, FACULTY AND STAFF

On-Campus Referrals for Students:

- UCR Police Department (951) 827-5222
- Title IX/Sexual Harassment Office (951) 827-7070
- Campus Health Center (important for follow-up medical care) (951) 827-3031
- Counseling Center (951) 827-5531
- Office of the Ombudsman (951) 827-3213
- Assistant Director of Residence Life, Judicial (951) 827-6503/(951) 827-4252
- Student Conduct & Academic Integrity Programs (951) 827-4208
- Dean of Students Office (951) 827-4595
- Dean of Graduate Division (951) 827-4302
- Women’s Resource Center (951) 827-3337
- Lesbian Gay Bisexual Transgender Resource Center (951) 827-2267

On Campus Referrals for Faculty and Staff:

- UCR Police Department (951) 827-5222
- Title IX/Sexual Harassment Office (951) 827-7070
- Associate Vice Chancellor For Diversity, Excellence & Equity (951) 827-7741
- Vice Provost for Academic Personnel (951) 827-2304
- Faculty and Staff Assistance Program (951) 781-0510/(800) 266-0510
- Human Resources (951) 827-5080
- Labor Relations (951) 827-3641
- Academic Personnel (951) 827-4847
- Office of the Ombudsman (951) 827-3213
- Dean of Students Office (951) 827-4595
  (when the alleged assailant is a UCR undergraduate student)
- Dean of Graduate Division (951) 827-4302
  (when the alleged assailant is a UCR graduate student)

Off-Campus Referrals for Students, Faculty and Staff:

- Riverside County Regional Medical Center Emergency Department (951) 486-5650
- Riverside Area Rape Crisis Center Hotline (951) 686-7273