

## **SEXUAL ASSAULT**

### **Sexual Violence Prevention and Response**

The Maricopa County Community College District and Paradise Valley Community College does not tolerate sexual misconduct, which includes, sexual assault, domestic violence, dating violence, stalking, sexual harassment, or any other forms of nonconsensual sexual activity. Sexual misconduct in any form violates the MCCCDC Student Code of Conduct, along with Arizona state law.

Sexual assault can happen to anyone: any gender, any age, any socio-economic status, any profession, any ethnic or racial identity, any sexual orientation, any religious affiliation, anyone. You are not alone. In most cases, the victim and assailant know each other.

Someone who has experienced sexual assault may feel angry, afraid, humiliated, confused, numb, feel at blame, or make excuses for the assailant's behavior. She or he may not know what to do or where to find support. The following information is a guide to help someone who has experienced sexual assault find the information and support they need for safety, medical, legal, counseling and other considerations.

### **Sexual Assault**

- Attempted or completed non-consensual sexual act
- Touching
- Anal, oral, or vaginal penetration
- Threats of rape

### **Sexual Consent**

- Verbal agreement to engage in sexual activity; silence does not mean "yes"
- Must be given by a sober, conscious individual
- Must be given freely, with no emotional or physical force
- Consent to one act of sex does not mean consent to all acts of sex

### **Know or it's "NO"**

- Silence does not equal a verbal "yes"
- Make sure you have verbal consent before engaging in any sexual acts
- A person has the right to say no at any point during any sexual act, even if they have consented in the past
- If your partner says no or tells you to stop, stop immediately

### **Acquaintance Rape vs. Stranger Rape**

- It might surprise you to know, about 9 out of 10 sexual assaults are committed by someone the victim knows, not a stranger.

*Fisher, B.S., Cullen, F.T., and Turner, M.G., (2000). The Sexual Victimization of College Women (NCJRS Publication No. 182369). Washington, DC: U.S. Department of Justice, National Criminal Justice Reference Service.*

## **Sexual Assault, Drugs, and Alcohol**

- Alcohol is the number one date rape drug
- A person who is under the influence of alcohol or any other drug cannot give consent

## **Stopping Sexual Assault**

- The perpetrator is the only one who can truly prevent sexual assault
- Prosecute perpetrators of sexual assault
- Challenge sexist behavior

## **Prevention**

The following are ways to reduce the risk of sexual assault or violence:

- When you go to a party, go with a group of friends
- Arrive together, watch out for each other, and leave together
- Don't leave your beverage unattended or accept a drink from an open container
- Don't allow yourself to be isolated with someone you don't know or trust
- Be aware of your surroundings at all times
- Trust your instincts
- Think about the level of intimacy you want in a relationship, and clearly state your limits

## **College Response to Sexual Assault**

If you or someone you know is the victim of a sexual crime, the victim has specific rights, including:

- The right to report, or not report, or seek assistance from law enforcement or campus authorities.
- If the victim chooses to report the incident, the college will assist victims in notifying either the campus or local police. Filing a report does not mean the victim must pursue criminal charges. The victim maintains his or her rights throughout the process.
- If the victim of a sexual offense or relationship violence requests a change in his or her academic schedule, the Dean of Students and other offices at the college will assist the individual with making these changes, as long as they are reasonably available.

## **College Disciplinary Procedures in Sexual Assault Incidents**

If you have been sexually assaulted, several options are available for reporting the incident. You may wish first to discuss the incident privately with the Dean of Students/Title IX Coordinator. Campus Police are always available to assist the victim with getting the support she/he requests.

- The MCCCCD/PVCC Student Code of Conduct process is designed to afford a complainant (the person bringing the charge) and a respondent (the person who is answering the charge) a fair, prompt and appropriate resolution process. The process is designed to help people who need support as they address these incidents.
- The Dean of Students office manages the process when the alleged suspect is a PVCC Student. The full text of the protocol for how the college responds to sexual assault complaints through the campus conduct process can be found in the Paradise Valley Community College Student Handbook, under Campus Policies.

- In determining whether the alleged conduct constitutes sexual harassment or sexual assault, the full context in which the alleged incident occurred must be considered. In any case, both the accuser and the accused are entitled to the same opportunities to have other present during any disciplinary proceeding. Both the accuser and the accused will be informed of the outcome of any proceedings.
- During any sexual assault complaint proceeding, the college has a range of sanctions available. Those sanctions may range from probation to suspension or expulsion from the college, depending upon the nature and circumstances of the specific incident. Any sanction that the college may impose on the accused, is independent from any criminal or civil penalties that may be imposed by state or federal courts.
- If the alleged suspect is a campus employee, sanctions range from administrative discipline to suspension or termination of employment. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for the purpose of this paragraph.

## **WHAT TO DO IF YOU EXPERIENCE SEXUAL VIOLENCE**

### **Find a Safe Place**

- If you feel you are in immediate danger, call 911
- In the immediate aftermath of sexual assault, the most important thing is your safety.
- Go to a safe place. Whether it is your residence, a friend's place, or with a family member, your immediate safety is what matters most.

### **Preserve Evidence of the Assault**

- Do not shower, bathe, douche, and/or brush your teeth or hair
- Save all the clothing you were wearing at the time you were assaulted in a paper bag
- Make every effort to save anything that might contain the assailant's DNA
- Do not clean up the crime scene or move anything the assailant may have touched
- Write down as much as you can remember about the circumstances of the assault, including a description of the assailant.
- If you have a picture of the assailant, prepare to give it to the police.

### **Reporting the Incident**

Victims often have difficulty reporting a sexual assault for numerous reasons, such as knowing the suspect, fear of retaliation, fear of parents knowing about the incident, or fear of getting in trouble with law enforcement. Despite these concerns, it is vital to report such incidents in order to prevent the perpetrator from hurting anyone else.

We strongly encourage victims of sexual assault, domestic violence, dating violence, sexual harassment, or stalking to seek support and report the incident. The following reporting options are available to PVCC students, faculty and staff who have been victimized or who know someone who is being victimized. We understand individual circumstances may determine if and how a victim chooses to make a report. A victim can choose to pursue one or more of these reporting options.

**Where to file a report on campus:**

- **PVCC Department of Public Safety** (480) 787-7900
- **PVCC Dean of Students** (602) 787-6604
- **PVCC Title IX Coordinator** (602) 787-7668

The PVCC Department of Public Safety can be contacted 24 hours a day, seven days a week at (480) 787-0900. If the incident occurred off campus, campus police officers will assist the victim in making a report to the appropriate law enforcement agency.

Reporting is best done as soon as possible after the act, but it may be done at any time. After a sexual assault, it is very important that the victim receive a medical examination for health and evidentiary reasons. As difficult as it may be, a victim should not wash; use the toilet or change clothes before reporting the crime and seeking medical attention. If clothes are changed, those worn during the assault should be placed in a paper bag and taken along to the examination.

Even if the victim does not wish to prosecute the perpetrator, it is important to gather as much evidence as possible just in case the victim decides to pursue criminal charges later. Reporting a sexual assault, domestic violence, dating violence, or stalking to PVCC Police does not require the filing of criminal charges, but it does activate all support systems, including campus resources.

**Forensic Exam**

A forensic exam can be performed up to five days following the assault. However, it is important to have a forensic exam as soon as possible for the best results.

The forensic exam is available through several Family Advocacy Centers in the Phoenix area to collect and preserve evidence of the sexual assault. Forensic exams are performed by specially trained forensic nurses.

Even if you have not decided to report the crime, a forensic exam can be done to collect and keep the evidence safe. The evidence can be used at a later date if you decide to file a report.

Family Advocacy Centers are designed to improve the reporting experience by locating many of the disciplines involved in the investigation and care of the victim in one building designed to support the investigation and care of the victim. These centers can also link you to an advocate who is experienced in working with victims of sexual assault and will assist with discussing the assault with the forensic nurse, law enforcement, and/or counselors.

If you believe you were drugged, it is important to obtain a urine sample for a complete toxicology screen as soon as possible because some drugs can clear your system within a few hours. Blood may also be collected.

Effective January 2009, the Federal Government under the Violence Against Women Act (VAWA) requires states which receive federal funding under VAWA, as Arizona does, to provide forensic sexual examinations to all patients regardless of whether police involvement is

desired. The forensic sexual exam is always free of charge to the victim of sexual violence. To obtain a free exam, a victim should contact: the organizations listed below.

### **Sexual Assault Response Team (SART) Centers**

The following Phoenix area family advocacy centers can perform this examination:

#### **Center Against Family Violence**

130 N Robson, Mesa, AZ 85201

(480) 644-2010 or (480) 644-4075

Contact Persons - Lt. A. Nesbitt and Lt. R. Rash

<http://acfan.net/centers/mesa-center.htm>

<http://www.mesaaz.gov/residents/police/divisions/mesa-family-advocacy-center>

#### **Family Advocacy Center**

2120 N Central Ave, #250, Phoenix, AZ

(602) 534-2120

<http://phoenix.gov/fac/index.html>

#### **Scottsdale Family Advocacy Center**

10225 E. Via Linda, Scottsdale, AZ

(480) 312-6300

Contact Persons - Lt. J. Nichols and Lt. R. Campbell

<http://www.acfan.net/centers/scottsdale-family.htm>

#### **Glendale Family Advocacy Center**

6830 N 57th Dr, Glendale, AZ 85301

(623) 930-3720

<http://www.acfan.net/centers/glendale.htm>

#### **Other Community Sexual Assault and Violence Support Services:**

##### **CASA (Center Against Sexual Abuse) - Southern Arizona**

1600 N Country Club, Tucson, AZ 85716

(520) 327-7273 or (800) 400-1001

<http://www.sacasa.org/>

#### **RAINN Sexual Assault Hotline (National)**

1-800-656-HOPE (4673)

#### **Medical Care**

For your health and protection, it is important to be checked and treated for possible injuries and/or sexually transmitted infections. It is also important to be tested for pregnancy. This can be done as a part of the forensic exam at a Family Advocacy Center, through a private physician's office or other medical facility.

Emergency contraception is available to prevent pregnancy. This is a prescription medication that can be taken up to 72 -120 hours after the assault, depending on the drug.

A follow-up medical exam should be completed in 4-6 weeks to test for HIV and/or sexually transmitted infections that have not been responsive to treatment.

### **Counseling**

Sexual assault is a traumatic experience. Talking to a counselor and/or people in your support system can be helpful if you are feeling upset or confused. Counseling is offered through the PVCC Counseling Center on campus in the KSC Building. To set up an appointment call or stop by.

**PVCC Counseling Services**  
**KSC Building ~ 1<sup>st</sup> Floor**  
**(602) 787-6540**

### **Campus SaVE Act – Sexual Assault, Domestic and Dating Violence, and Stalking**

The Campus Sexual Violence Elimination Act (SaVE Act) was passed in March 2013 as part of the Violence Against Women Reauthorization Act (VAWA). As a result, Paradise Valley Community College must include statistics on incidents of Sexual Assault, Domestic Violence, Dating Violence, and Stalking. PVCC recognizes that sexual misconduct, including sexual violence, is a national problem, and college and university campuses certainly have not been immune. Such violence has a profound impact on a victim's academic, social, and personal life, and negatively affects the experiences of their friends and families, other students, and all members of the college community.

Paradise Valley Community College is committed to combatting this complex social problem and strives to foster a positive learning, working and living environment that promotes every individual's ability to participate fully in the PVCC experience without fear of sexual violence or sexual harassment. Through college policies awareness efforts, education and training programs, and advocacy, every member of the PVCC community should be prepared to actively contribute to a culture of respect and to work to keep our community free from sexual assault, sexual violence, domestic violence, dating violence, sexual harassment, stalking, exploitation, and intimidation. To view applicable MCCCD/PVCC policies go to:

[http://www.pvc.maricopa.edu/sites/default/files/studentlife\\_Paradise\\_Valley\\_CC\\_HB.pdf](http://www.pvc.maricopa.edu/sites/default/files/studentlife_Paradise_Valley_CC_HB.pdf)

Cases involving allegations of sexual misconduct that are reported at PVCC are promptly, fairly, and thoroughly investigated, in accordance with the Maricopa County Community College District Student Code of Conduct. PVCC provides victims with resources that let them know they are not alone including, but not limited to, providing guidance on filing a police report, talking with counselors and changing academic or campus work situations.

To learn more, go to:

[http://www.pvc.maricopa.edu/sites/default/files/studentlife\\_Paradise\\_Valley\\_CC\\_HB.pdf](http://www.pvc.maricopa.edu/sites/default/files/studentlife_Paradise_Valley_CC_HB.pdf)