

**REED COLLEGE
COMMUNITY SAFETY
DEPARTMENTAL DIRECTIVE**

Sexual Assault, Domestic Violence, and Dating Violence: Community Safety Initial Response Guidelines

Source: Departmental Directive issued by the Community Safety (CS) Director, Reed College Discriminatory Harassment and Sexual Misconduct (DHSM) policy, Clery Act

Original publication: June 2011

Latest review and revision: August 2018

Purpose

To provide effective, coordinated, and rapid response to reports of sexual assault, and domestic or dating violence made to Community Safety staff.

Overview

This Directive is intended to provide guidelines for frontline Community Safety staff who may receive a report or become aware of an instance of actual or attempted sexual assault, domestic violence, or dating violence as defined here and in Reed's Discriminatory Harassment and Sexual Misconduct (DHSM) policy.¹ This Directive is not intended to provide guidelines for investigation of these types of incidents; investigations are conducted at the direction of the Title IX Coordinator and Director of Community Safety.

Definitions & Terminology

Note on Language

For purposes of this Directive, the person who was reportedly subjected to the misconduct will be referred to as the "target." The person who was reportedly responsible for carrying out the misconduct will be referred to as the "subject." Other parties may be referred to as "witnesses" and/or "involved parties."

Sexual Assault

Sexual Assault is defined as non-consensual sexual contact or non-consensual sexual intercourse (see DHSM for further information).

Domestic Violence

Domestic Violence is defined as violence committed by a current or former spouse (or intimate partner) of the target, or by a person who is cohabitating (or has cohabitated) with the target as a spouse or intimate partner.

Dating Violence

Dating violence is violence committed by a person who is (or has been) in a social relationship of a romantic or intimate nature with the target. It includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. The existence of a qualifying relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship,

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the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Target

The term “target” is used in this Directive to refer to the person(s) toward whom the conduct in question was reportedly directed.

Subject

The term “subject” is used in this Directive to refer to the person(s) reported to have engaged, or attempted to have engaged, in the conduct in question.

Reporting Party

The term “reporting party” is used in this Directive to identify the person(s) who provided the initial information about the reported incident to Community Safety.

In cases where the “target” and the “reporting party” are the same person, the term “target” will be used in order to prevent confusion with circumstances where the reporting party is not the target.

In cases where the “subject” and “reporting party” are the same person, the term “subject” will be used in order to prevent confusion with circumstances where the reporting party is not the subject.

Trauma Informed Response

Individuals who have experienced trauma (e.g. targets, witnesses, bystanders, etc.) may behave and present in a variety of ways that are counterintuitive. These individuals may struggle to recall events chronologically and may not describe events in a coherent or “common sense” manner; this should not be misconstrued as uncooperative or dishonest behavior, rather as behavior often displayed in the aftermath of a traumatic event.

Response Priorities

Response Priorities 1-5 can be conducted prior to contacting the CS Director, CS Manager, or CS Investigator. The CS Director, CS Manager, or CS Investigator must be notified of the report in order to provide further direction to the responding CSO.

Note: Steps **1-5** may be carried out without any specific information about the identity of the target or subject, and without specific details of the incident.

1. Ensure the physical safety of the target, being observant for signs of injury that the target may not immediately report.
2. Facilitate required or requested medical care and forensic evidence collection.
3. Facilitate access to crisis advocacy and other supportive resources.
4. Give the target the *Options and Resources for Victims of Sexual Misconduct* booklet (available at Dispatch).

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5. Give the target and any other involved parties the *Title IX Board Q&A* sheet (available at Dispatch).
6. Determine the type of report(s) the target wishes to make:
 - a. Confidential
 - b. Official College Report
 - c. Police
7. Facilitate the appropriate reporting, including required notifications and documentation.
8. Carry out initial investigative tasks at the direction of the CS Director, CS Investigator, or CS Manager.
9. Evaluate for immediate safety risks to the community, including whether or not a Timely Warning is required under the Clery Act, and take appropriate actions at the direction of the CS Director, CS Investigator, or CS Manager.
10. Determine whether or not the reported target is under the age of 18 years.
 - a. According to Oregon Revised Statute (ORS) 419B,² “Any public or private official having reasonable cause to believe that any child with whom the official comes in contact has suffered abuse or that any person with whom the official comes in contact has abused a child shall immediately report or cause a report to be made in the manner required in ORS 419B.015.” The statute defines “public or private official” to include any “school employee, including an employee of a higher education institution.”
 - b. If the target is under the age of 18, the CS Director or Title IX Coordinator must be contacted. The mandatory report may be made by the person who received the initial report, the Title IX Coordinator, or by the person assigned to investigate the report.

Response Checklist

Note: Steps 1-5 may be carried out without any specific information about the identity of the target or subject, and without out details of the incident.

1. Ensure the physical safety of the target.
 - a. Provide a safe, private, and comfortable space appropriate to the circumstances; offer the presence of a support person or witness.
 - b. Ask the person if they are OK and look for obvious signs of injury or mental health crisis.
 - c. If the target is not physically present, inquire about their safety and encourage them to postpone reporting if necessary to ensure their safety.
 - d. Ask the target if the subject poses an imminent risk of harm to them or anyone else and take appropriate steps to ensure the safety of the target, and others in the Reed Community.
2. Facilitate required or requested medical care.
 - a. Provide any necessary first aid appropriate to the CS staff member’s training and experience.
 - b. Ask the target if they have been injured.
 - c. Refer the target to the Health and Counseling Center (HCC) or a medical facility for non-emergency care.
 - d. Request Emergency Medical Services according to standard departmental criteria or at the request of the target.

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- e. Tell the target that they may go to a hospital and request a Sexual Assault Forensic Examination (SAFE) if the assault took place within the past 84 hours. If they are considering a SAFE, explain the importance of preserving physical evidence by not bathing, eating, drinking, changing clothes, or using the bathroom. Reed's Assistant Dean for Sexual Assault Prevention & Response (ADSAPR) or a Sexual Assault Prevention & Response Advocate (SAPR) can arrange for free taxi service to and from the hospital.
 - f. Tell the target that they do NOT need to report the incident to police in order to receive a SAFE examination and that there is no cost to them for the examination.
 - g. See the Reed Sexual Assault website for more information:
www.reed.edu/sexual_assault/index.html
3. Facilitate appropriate crisis advocacy and other supportive resources.
- a. Provide immediate support appropriate for a target of a traumatic event.
 - b. Offer to connect the target with a crisis advocate (a SAPR Student Advocate or Call to Safety (formerly Portland Women's Crisis Line) or mental health support services. See the Reed Sexual Assault website for a complete list of resources:
www.reed.edu/sexual_assault/index.html
 - c. Offer to connect the target with the Assistant Dean for Sexual Assault Prevention & Response (ADSAPR).
 - d. Allow/offer the target the option of having a support person with them during the reporting process.
4. Provide Options and Resources for Victims of Sexual Misconduct booklet.
- a. The target **must** be provided with a printed copy of the document as soon as possible in the reporting process.
 - b. Key information and contact information should be reviewed when the booklet is presented, including the list of available resources and contact information for the Title IX Coordinator.
5. Give the target and any other involved parties the Title IX Board Frequently Asked Questions sheet:
- https://www.reed.edu/honor_principle/assets/TNB.FAQ.April.2018.pdf
6. Determine the type of report the target wishes to make:
- a. Confidential
 - i. Tell the target that CS staff are obligated reporters and will document and forward all information they receive to the CS Director and the Title IX Coordinator, and that the college will be required to conduct an investigation based on the information that it receives.
 - ii. Offer the target the option to speak with a confidential resource, internal or external to Reed, before continuing their report, and inform them that a confidential resource will not share what they are told without the target's permission unless there is an imminent safety risk.
 - b. Official College Report
 - i. Tell the target that if they wish to make an official report to the college, Community Safety is prepared to receive the report immediately, or at any time in the future.

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- ii. If the target wishes to make an official report to Community Safety immediately, advise them that the CS Director, CS Manager, CS Investigator or designee will be contacted in order to facilitate an immediate report.
 - iii. Contact the CS Director or On-Call CS Manager and respond as directed.
- c. Police
- i. Tell the target that they have the option of reporting the incident to police immediately, or at any time in the future. Explain that making a report to the college is not the same as making a report to police.
 - ii. If the target wants to report to police immediately, facilitate that contact without delay, including offering to call police on behalf of the target and providing space for the target to meet with police.
7. Facilitate the appropriate reporting, including required notifications and documentation.
- a. Contact the Community Safety Director and/or the Community Safety Investigator as soon as possible during the reporting and response process. If the Director or CS Investigator cannot be contacted within ten minutes, contact the Assistant Director, designated CS Manager On-Call or another CS Manager. Use all available resources to make these notifications as soon as possible. If no CS Manager can be contacted within ten minutes, contact the Dean On-call.
 - b. Make additional notifications at the direction of the CS Director, CS Investigator, or CS Manager.
 - c. Create an ARMS incident report for the incident and document all available information, including the carrying out of the steps in this checklist.
8. Carry out initial investigative tasks at the direction of the CS Director, CS Investigator, or CS Manager.
- a. A Community Safety Officer (CSO) or other CS staff member may, at the direction of the CS Director, CS Investigator, or a CS Manager, carry out specific investigative actions, such as taking statements, taking photographs of injuries and evidence, securing a room or area, safeguarding evidence, issuing temporary no-contact orders and/or exclusions, etc.
 - b. CSOs or other CS staff should not initiate investigative actions without the specific permission of the CS Director, CS Investigator, or CS Manager unless, in the judgment of the CSO/CS staff, failing to take immediate action would, more likely than not, create a serious risk of injury or the loss or destruction of critical evidence.
9. Evaluate for immediate safety risks to the community.
- a. The Clery Act requires a Timely Warning for any situation that represent a serious and ongoing threat to the community.
 - b. The purpose of a Timely Warning is to alert the community in a manner that is timely and will aid in the prevention of a similar crime.
 - c. The intent of Timely Warnings is to provide information community members can use to protect themselves.
 - d. The CS Director or a CS Manager should be contacted immediately in order to evaluate such circumstances and facilitate a Timely Warning in the case of a serious or continuing threat.

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Documentation

All reports of sexual assault, domestic violence, or dating violence shall be documented in a Community Safety incident report according to routine practices. Because of the seriousness and sensitive nature of these reports, CS staff are expected to carefully record and document all available and relevant information and to preserve any potential evidence, including electronic evidence such as text messages, social media postings, e-mail, etc. Initial incident reports must be completed before the person who received the report ends their shift unless the CS Director or a CS Manager approves an extension. Any such extension must be reported to the CS Director. Completed reports shall be forwarded via e-mail to the CS On-Call Manager group (cs-ocmgr@reed.edu) immediately upon completion.

The CS Director or designee is responsible for reviewing all reports of sexual assault, domestic violence, or dating violence within 24 hours. As appropriate to the specific report, the CS Director or designee will forward the appropriate information to the Title IX Coordinator, Deans, and/or other staff who have responsibilities to respond to the report.

In situations where involved parties are referred to a confidential resource, reports anonymously, or otherwise does not disclose key information (e.g., name(s), nature of the incident, location, etc.), the incident report should contain whatever information is available and the person writing the report should clearly indicate where information that is absent is not present because it was not disclosed.

Any involved party may decline to provide information or stop providing information at any time in the process.

Investigation

Federal law and college policy require that all reports of sexual assault, domestic violence, or dating violence are investigated to the extent possible based on the available information, and regardless of whether or not police are investigating the report. The Title IX Coordinator is responsible for assigning an investigator for each specific report. While CS staff may undertake investigative tasks that are immediately necessary before the Title IX Coordinator has been contacted and assigned an investigator, such actions should be minimized until the Title IX Coordinator has been notified and has assigned an investigator. In most reports involving students, alumni, and non-affiliated persons, the CS Director, CS Investigator, or a designee of the CS Director will be the investigator. In reports involving faculty or other staff, the Dean of Faculty and/or the Director of Human Resources will be contacted before an investigator is assigned.

All CS staff are expected to cooperate fully with any investigation conducted at the request of the Title IX Coordinator, regardless of the affiliation of the appointed investigator.

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1. https://www.reed.edu/academic/gbook/comm_pol/dhsm_policy.html
 2. Chapter 419B Juvenile Code: Dependency > Reporting of Child Abuse: <https://www.oregonlaws.org/ors/chapter/419B>
- Mandatory Reporting: https://www.oregon.gov/DHS/ABUSE/Pages/mandatory_report.aspx