

## ALBION COLLEGE SEXUAL ASSAULT STUDENT REPORTING PROCEDURES

Survivors of sexual assault have the right and are encouraged to pursue a complaint against the accused in the legal system and within the College Judicial Process. Survivors have the option of filing a criminal complaint, filing a civil complaint, and filing a complaint with the College. Survivors may choose one or any combination of these options. The following is a brief description of the options available to a survivor for filing complaints, and access to a survivor's information is restricted to the greatest extent possible.

### *Confidential Issues*

**The College is required by Federal law to conduct a prompt, thorough, and impartial investigation into all allegations of sexual assault. To maintain anonymity, survivors or others who report a sexual assault need to contact a confidential source listed below.**

**Other College faculty and staff are expected to report the information they receive to Kenneth Snyder, (Associate Dean of Students/Director for Campus Safety) or Lisa Locke (Title IX Coordinator). They limit any disclosures to what is reasonably necessary to conduct a fair and thorough investigation and to appropriately address the allegations. The College's ability to investigate an assault is dependent upon a survivor's decisions. Survivors are encouraged but not required to report a sexual assault. Survivors decide to whom and how much information to give others.**

Students (except Resident Assistants, Smooth Transitions Mentors, and First-Year Experience Mentors) are not required to report a sexual assault, but are encouraged to do so.

**The on-campus resources that are exempt from this regulation are listed below.**

- Student Health Services (students only) ..... ext. 0220 (Only during regular hours)
  - Counseling Services (students only) ..... ext. 0236 (After-hour access available)
  - SAS Local Sexual Assault Advocates (LSAAs) (current faculty, staff, and students)
- See [www.albion.edu/shp](http://www.albion.edu/shp) for contact and availability information.

### *Filing a Complaint within the College Judicial Process*

**A survivor can choose to file a complaint within the College Judicial Process. All complaints are investigated by the Office of Campus Safety. If a student prefers, a female Campus Safety staff member is normally available to explain the reporting and investigative process. If possible, a staff member will arrange to meet you at a location of your choice on campus. The complaint will normally be referred to the College Judicial Process.**

After the investigation is completed, the case is normally scheduled for a VAWA Administrative Hearing. Staff and/or faculty members who are trained in sexual assault issues, serve as Hearing Officer(s). The standard of proof is a preponderance of the evidence.

A complete description of the College Judicial Process [that includes reauthorization of Violence Against Women Act (VAWA) provisions] can be viewed online at [www.albion.edu/handbook/procedures](http://www.albion.edu/handbook/procedures). A copy, including the rights of survivors, can be made available by Campus Safety staff.

### *Filing a Criminal Complaint*

A survivor can choose to file a criminal complaint with a police agency. If the assault occurred on campus or in town, the City of Albion Department of Public Safety (ADPS) is responsible for investigating the complaint. If the assault occurred somewhere else, ADPS can assist survivors in contacting the appropriate police agency to conduct the investigation. Some pertinent information about a police investigation is explained below.

- If the assault is reported within 120 hours of when it occurred, the police will request that the survivor go to the hospital for a sexual assault examination. This examination is conducted by a trained nurse, known as a SANE nurse, who will ask what happened and will complete a physical examination to gather evidence for the investigation. There is no charge for this examination. (SANE stands for Sexual Assault Nurse Examiner.)

- The police will talk to the survivor about what happened.
- The police will interview witnesses, contact the suspect, and gather all relevant evidence related to the incident.
- The police will then forward a report on their investigation to the County Prosecutor, who decides whether or not to prosecute the case.
- The prosecutor may want to interview the survivor before making a decision about the case.
- If the prosecutor brings charges against the person who has been accused of the assault, the survivor becomes a witness in the case against this individual, and will be subpoenaed to testify during the criminal process.

NOTE: The police and/or the prosecutor may choose to investigate and prosecute a complaint even if the survivor does not wish to press charges or changes his/her mind about filing a criminal complaint.

### ***Filing a Civil Complaint***

A survivor can choose to file a civil lawsuit. The goal of a lawsuit is to compensate the survivor for damages caused by the actions of the person who committed the assault. Here are some key points to consider about this option:

- The survivor does not have to file criminal charges to pursue a civil lawsuit.
- The survivor will need to hire an attorney.
- The standard of proof for a lawsuit is “preponderance of evidence” not “beyond a reasonable doubt”.
- The process can take 2-5 years to complete.

### **IMPORTANT RESOURCES**

- **Office of Campus Safety - ext. 1234 or 517/629-0911**
- **Albion Department of Public Safety - 911 on non-campus phone**
- **Title IX Coordinator, Lisa Locke, Human Resources Office – ext. 0206**
- **Vice President for Student Affairs and Dean of Students - ext. 0226** - The Vice President for Student Affairs and Dean of Students is able to assist survivors request changes in academic, living, transportation, and working situations whether or not they choose to report the incident to the College or to civil authorities. The College will provide such accommodations if they are reasonably available.
- **Student Health Services - ext. 0220** - The Student Health Services staff are trained in sexual assault response. All conversations and examinations are strictly **confidential**.
- **Oaklawn Hospital (Marshall) – 517/629-2630**
- **Allegiance Health Hospital (Jackson) – 517/788-4800**
- **Counseling Services - ext. 0236** - The Counseling Services staff offer 24/7 free, **confidential** counseling, and support to survivors of sexual assault. The counseling staff are experienced in providing assistance to survivors as well as friends affected by this type of trauma.
- **Sexual Assault Services of Calhoun County - 888/383-2192 (24-hours) or #9876 (dial only 5 digits from any campus phone)** - Offers **confidential**, short-term individual counseling; trained staff or volunteer Sexual Assault Advocates provide support and advocacy to survivors at area hospitals and police departments with 24-hour call availability. All services provided free of charge.
- **SAS Local Sexual Assault Advocates (LSAAs)** - See [www.albion.edu/shp](http://www.albion.edu/shp) for contact and availability information.
- **AWARE - Jackson - 517/783-2861** - Staff from AWARE will accompany survivor to Allegiance Health Hospital and City Police or Sheriff Department. **Confidential** counseling and support groups with 24-hour call availability.
- **Legal Services of South Central Michigan – 269/965-3951, or 800/688-3951**

### **Same-Sex & LGBTQ Intimate Partner Violence Resources**

- **National Hotline – 888/843-4564** (Monday-Friday 4:00 p.m.-Midnight, Saturday Noon-5:00 p.m.)
- **Advice and Counseling Services: Equality MI (victim assistance and referral) (Detroit) – 866/926-1147**
- **Ozone House: Safehouse/Shelter or Counseling Services (Ann Arbor) – 734/662-2222 (24/7)**