

Section 6.00
SEXUAL MISCONDUCT POLICIES & PROCEDURES

6.01 Sexual Assault Safety Procedures Persons who have been sexually assaulted should immediately report the incident to the UMBC Police Department. The following is strongly suggested.

1	<i>Call Police</i>	Immediately by dialing 55555 or 410-455-5555
2	<i>Call a sexual assault counselor. You will not have to give your name.</i>	<p>Rape Crisis Hotline 410-828-6390</p> <p>BALTIMORE COUNTY TurnAround, Inc. 401 Washington Ave., Suite 300 Towson, MD 21204 p (410) 377-8111 Hotline: 443-279-0379 www.turnaroundinc.org</p> <p>The Maryland Coalition Against Sexual Assault 1-800-938-RAPE</p>
3	<i>Report the crime</i>	Report the crime in the jurisdiction where the crime occurred.
4	<i>Evidence will disappear if not preserved and collected</i>	Evidence needs to be collected, and the police officer, once contacted, will offer guidance in this area.
5	<i>Drug/ alcohol use will not be used against you</i>	The victim's safety and well-being is the primary goal of our agency. Therefore, do not worry about legal citations for minor violations that happened at the time of the attack.
6	<i>Medical/ Mental health</i>	We can help victims obtain appropriate medical and mental health assistance.
7	<i>Fight the urge to shower or clean yourself until after you meet with police.</i>	Do not bathe, shower, douche, change your clothes or disturb anything at the crime scene. Extremely valuable physical evidence can be obtained from you, your clothing and objects at the scene of the crime.
8	<i>SAFE exam = Sexual Assault Forensic Examination</i>	If you are not sure about prosecution, you are encouraged to immediately file a police report in order to obtain a medical evidentiary examination. Called a SAFE exam; which is performed at a hospital, by a specially trained nurse, and at no cost to the victim. You always have the right to change your mind and not to pursue a criminal complaint.
9	<i>Seek medical advice</i>	Even if you do not wish to make a report to the police, you are still encouraged to seek professional medical advice. It is important not to forget the possibility of sexually transmitted diseases and/or pregnancy.
10	<i>Dorm/ class accommodations</i>	The University will facilitate a change in academic and/or living situations for the victim, if the victim so chooses and such changes are reasonably available.

Section 6.00
SEXUAL MISCONDUCT POLICIES & PROCEDURES

UMBC Links for Policy, Procedures and Resources:
<u>UMBC's brochure on Sexual Misconduct:</u>
<u>UMBC's Policy on Sexual Misconduct:</u>
<u>UMBC Resources for Sexual Misconduct & Relationship Violence</u>
<u>UMBC Bystander Intervention Training</u>
<u>UMBC Take Back the Night events</u>

UMBC is committed to creating a safe and secure campus environment that is free from acts of intimidation or the fear of falling victim to sexual misconduct or hate violence. The following offices contribute greatly toward this effort.

Counseling Center 410-455-2472
Voices Against Violence 410-455-3754

6.02 Physical Evidence

Due to the sophisticated investigative resources required to properly investigate certain sex crimes, the UMBC Police Department has entered into an agreement with the Baltimore County Police Department to take primary investigative responsibility for investigating first and second degree rapes and first and second degree sex offenses. UMBC Police will also assign an investigator to facilitate internal University incident management and internal judicial affairs protocols.

6.03 Administrative/Judicial Considerations

- (1) **Confidentiality:** UMBC is committed to protecting the confidentiality of victims and other necessary parties. Unless under a mandatory court order, records will not be publicly released to non-affected parties to the Administrative/ Judicial process.

- (2) **Equal process:** During any campus disciplinary proceeding in a case of alleged sexual misconduct, the accuser and the accused are entitled to equal opportunities to have others present during proceedings, including an advisor of their choice. UMBC is committed to ensuring that proceedings are prompt, fair and impartial. The proceedings will be conducted by officials who receive annual training.

Section 6.00
SEXUAL MISCONDUCT POLICIES & PROCEDURES

- (3) **Notification of outcomes:** Both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceeding brought alleging a sexual misconduct. Possible sanctions for rape, acquaintance rape, or other sex offenses (forcible or non-forcible) following an on-campus disciplinary proceeding include censure, social probation, termination of residence contract, or suspension or expulsion from the university. For more information, see [The Code of Student Conduct](#).

UMBC, upon request, will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense to: the alleged victim, or the next-of-kin when the victim is deceased.

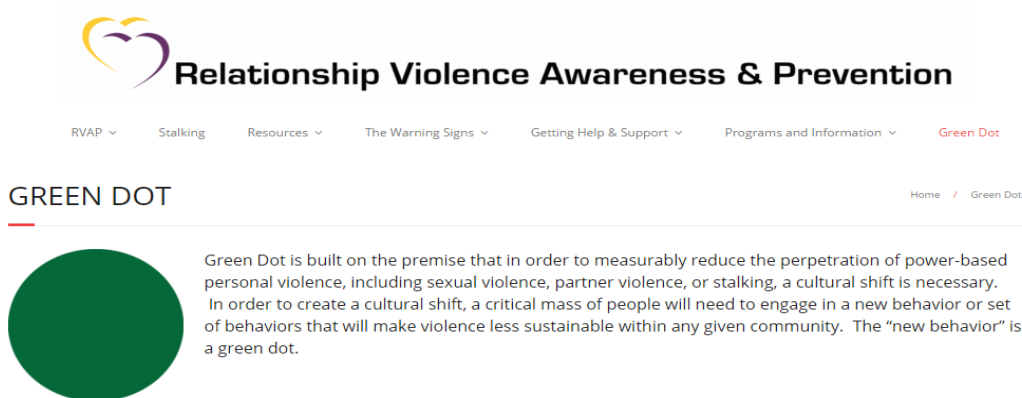
- (4) **Accommodations:** Assistance will be made available in changing academic and living situations after an incident of alleged sexual misconduct if requested by the victim and if these changes are reasonably available. Counseling, mental health and other student services are available, both on campus and in the community, for victims of sexual misconduct. UMBC can provide written notification to victims about options for: available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures. UMBC will provide such accommodations regardless of whether the victim chooses to report the crime to the UMBC Police or other police agency.

- (5) **Exclusions:** Counselors with UMBC are not considered “Campus Security Authorities,” when acting in their professional counseling roles [668.46(4) Code of Federal Regulations] and therefore, not required to report statistics concerning incidents of sexual misconduct. Contact the Counseling Center (410-455-2472) for more information. Please also refer to the comprehensive [University System of Maryland Policy on Sexual Misconduct](#).

- (6) **Administrative/ Judicial members:** The administrative/ judicial processes are conducted by officials who receive annual training on the issues related to dating violence, domestic violence, sexual misconduct and stalking and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability.

Section 6.00 SEXUAL MISCONDUCT POLICIES & PROCEDURES

6.04 [UMBC's Green Dot Campaign](#)



The screenshot shows the website for Relationship Violence Awareness & Prevention. The header includes a logo of two overlapping hearts and the title. A navigation menu lists: RVAP, Stalking, Resources, The Warning Signs, Getting Help & Support, Programs and Information, and Green Dot. The main content area is titled 'GREEN DOT' and features a large green circle on the left. To the right of the circle, the text reads: 'Green Dot is built on the premise that in order to measurably reduce the perpetration of power-based personal violence, including sexual violence, partner violence, or stalking, a cultural shift is necessary. In order to create a cultural shift, a critical mass of people will need to engage in a new behavior or set of behaviors that will make violence less sustainable within any given community. The "new behavior" is a green dot.'

Victims of Domestic and Dating Violence

Domestic Violence Defined: Federal law definition: "domestic violence" includes:

- A crime of violence committed by a current or former spouse of the victim,
- By a person with whom the victim shares a child in common,
- By a person who is lives with or has lived with the victim as a spouse,
- Maryland law defines domestic violence as assault.

A. Dating Violence

Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—

- Dating violence 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.

Section 6.00
SEXUAL MISCONDUCT POLICIES & PROCEDURES

B. Procedures for victims of Dating and Domestic Violence:

- (1) **Report the incident to the UMBC Police Department.** We can help to connect victims to victim services.
- (2) Contact the [Sexual Assault and Relationship Violence Response Team](#).
- (3) Victims of domestic and dating violence should take steps to preserve any possible evidence that may aid in any administrative action and/or criminal prosecution that may result. Examples of evidence may include:
 - text, e-mail or voicemail messages,
 - social networking postings,
 - photographs, or
 - written documents such as cards, notes, or letters.

Do not disturb the scene of any dating incident as police may want to photograph the scene upon their arrival. They will also want to photograph any injuries that are immediately apparent or that may appear days later. If any weapon was used or any object was used as a weapon, leave it in its original position and do not touch it until police arrive.

C. Protective Measures that UMBC can offer:

- Transportation to the Catonsville District Court for orders of protection, including no-contact orders, restraining orders, (see links at end)
- No Contact or Ban letters issued by UMBC;
- Transportation assistance or security escorts;
- Modifications to academic requirements or class schedules; and/or
- Changes in living or working situations.

D. Rights of students, Faculty and Staff:

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual misconduct or stalking, whether the offense occurred on or off campus, UMBC will provide the student or employee a written explanation of the student's or employee's rights and options.

Section 6.00
SEXUAL MISCONDUCT POLICIES & PROCEDURES

6.05 Stalking

Report Stalking incidents to the UMBC Police Department. We can help in many ways:

- *Often, police officers meeting with the stalker place them on notice that their conduct is unwanted.*
- *We can charge them with a Code of Conduct violation (if they are a student, staff or faculty member).*
- *We can ban them from campus.*
- *We can assist with obtaining a Peace Order placed for NO Contact.*
- *We can assist by contacting other police agencies to assist with violators.*

What is stalking?

While legal definitions of stalking vary from one jurisdiction to another, a good working definition of stalking is ***a course of conduct directed at a specific person that would cause a reasonable person to feel fear.***

Stalking is serious, often violent, and can escalate over time.

Some things stalkers do:

- Follow you and show up wherever you are.
- Send unwanted gifts, letters, cards, or e-mails.
- Damage your home, car, or other property.
- Monitor your phone calls or computer use.
- Use technology, like hidden cameras or global positioning systems (GPS), to track where you go.
- Drive by or hang out at your home, school, or work.
- Threaten to hurt you, your family, friends, or pets.
- Find out about you by using public records or online search services, hiring investigators, going through your garbage, or contacting friends, family, neighbors, or co-workers.
- Posting information or spreading rumors about you on the Internet, in a public place, or by word of mouth.
- Other actions that control, track, or frighten you.

Section 6.00
SEXUAL MISCONDUCT POLICIES & PROCEDURES

Things you can do

Stalking is unpredictable and dangerous. No two stalking situations are alike. There are no guarantees that what works for one person will work for another, yet you can take steps to increase your safety.

- If you are in **immediate danger**, call **911**.
- Trust your **instincts**. Don't downplay the danger. If you feel you are unsafe, you probably are.
- Take **threats** seriously. Danger generally is higher when the stalker talks about suicide or murder, or when a victim tries to leave or end the relationship.
- Contact a crisis hotline, **victim services agency**, or a domestic violence or rape crisis program. They can help you devise a safety plan, give you information about local laws, weigh options such as seeking a protection order, and refer you to other services.
- Develop a **safety plan**, including things like changing your routine, arranging a place to stay, and having a friend or relative go places with you. Also, decide in advance what to do if the stalker shows up at your home, work, school, or somewhere else. Tell people how they can help you. [Click here to learn more about safety plans.](#)
- **Don't communicate** with the stalker or respond to attempts to contact you.
- Keep **evidence** of the stalking. When the stalker follows you or contacts you, write down the time, date, and place. Keep emails, text messages, phone messages, letters, or notes. Photograph anything of yours the stalker damages and any injuries the stalker causes. Ask witnesses to write down what they saw. [Click here to download a stalking incident and behavior log.](#)
- Contact the **police**. Every state has stalking laws. The stalker may also have broken other laws by doing things like misconducting you or stealing or destroying your property.
- Consider getting a **court order** that tells the stalker to stay away from you.
- Tell **family, friends, roommates, and co-workers** about the stalking and seek their support.
- Tell security staff at your job or school. Ask them to help watch out for your safety.

Resources:

[Stalking Resource Center](#)
[Maryland Law on Stalking](#)
[Maryland Peace Order Brochure English](#) [Spanish](#)
[Maryland Petition for Peace Order](#)
[Addendum to Peace Order form](#)
[Peace Order Supplement](#)