

Sexual Assault Protocol

As a Catholic institution founded by the Sisters of Mercy, we embrace Judeo-Christian values as the basis of an active learning community that practices the values of harmony, justice and mercy. Therefore, in achieving that goal, we ask that you:

- Appreciate the goodness and sanctity of human sexuality
- Respect the dignity of each person

Information on sexual assault and harassment has been provided in the student handbook on pages 34-39. The following information is intended to provide more detail on those topics.

Consent

A person who is mentally incapacitated, asleep or impaired due to drug or alcohol consumption is unable to consent. If a woman says “no” regardless of these circumstances, it is not a matter of interpretation. No means no. Sexual intercourse following a spoken “no” or any other expression of refusal, even without further resistance of any kind, is rape – a felony in Rhode Island.

Prevention of a Sexual Offense

People can be and are sexually assaulted by friends, family, neighbors, dates, acquaintances, co-workers, strangers, etc. You cannot assume that you will not be a victim of harassment, sexual assault, or rape – even on a college campus. Regardless of what you did or did not do, if you are assaulted, remember that it is not your fault, and you have the right to take action through the University conduct system and the criminal justice system as well.

Prevention Tips

- Keep all doors and windows secured at home and in your residence hall room whether or not you are there. A high percentage of sexual assaults occur in the victim’s place of residence.
- Do not prop open security doors.
- Be especially aware of security during vacation periods when there are fewer people on campus.
- Use paths that are well populated when you walk, jog or bike.
- If you wear earphones while jogging or biking, be advised that they reduce your awareness as well as your ability to hear.
- Don’t hitchhike – ever.
- Have your keys ready in your hand when going to your car.
- Your car doors should be locked and the windows up when parked and when you’re driving through stop and go traffic.
- Never walk alone in secluded areas.

- Take special precautions in parking lots, stairwells, elevators, bathrooms and dark areas with shrubbery. Studies show that many assaults by strangers occur in these places.
- If you suspect that you are being followed, go to a place where there are other people as soon as possible. If you choose to run, run as fast as you are able and scream to attract attention or summon help.
- Follow your instincts. If you sense that you may be at risk or in danger, try to get out of the situation. For example, if you see a suspicious looking person or someone who makes you feel uncomfortable, leave the area. Report your suspicions to the Office of Safety and Security at Ext. 2325 or Ext. 5555.

How to Prevent Acquaintance Rape

- Say “no” when you mean “no.” Communicate your limits clearly. Know what you are feeling and express yourself clearly.
- Be assertive. Passivity might be misinterpreted as permission. Be direct and firm with someone who is pressuring you sexually. If someone starts to offend you, respond promptly and firmly. Overly polite approaches might be misunderstood or ignored.
- Trust your intuition. If you feel you are being pressured into unwanted sexual relations, do not hesitate to express your unwillingness, even if it might appear rude. Leave the situation as soon as possible.
- Think ahead about getting home. Be prepared when you are away from home to be able to leave the situation if necessary. Coordinate plans with friends and arrange transportation. Always carry cab fare.
- Attend large parties with friends you can trust. Agree to look out for one another.
- Avoid excessive use of alcohol and drugs. Alcohol and drugs interfere with clear thinking, effective communication and your ability to respond in your own best interest. Remember: the legal drinking age in Rhode Island is 21.
- If by force or threats you compel a person to have sex against one’s will – even if you know the person or have had consensual sex before – you are committing a rape. Even if you think the person has been teasing and leading you on. Even if you have heard that people say “no” but mean “yes.” Even if you think it’s manly to use force to get your way.
- Being turned down for sexual relations is not necessarily a rejection of you personally. A person who says “no” to sexual relations is expressing one’s unwillingness to participate in a specific act at a specific time.
- Accept your partner’s decision. “No” means “no.” Don’t read in other meanings. Don’t continue after the person says “no.”
- Don’t assume that just because a person flirts or dresses in a manner you consider sexually arousing that the individual wants to engage in sexual relations.
- Watch your beverage to avoid victimization through the addition of a date rape drug such as GHB or Rohypnol.
- Don’t assume that previous permission for sexual relations means a person is under a continuing obligation to have sex with you.
- Don’t assume that your date wants the same degree of intimacy that you do.

- Don't assume spending money on a date entitles you to sex.
- Don't force anyone either verbally or physically to have sex with you.
- Don't allow others to attempt forced sex with another person.

Survivors/Victims – What You Can Do

Any of the following resources could be called to assist you: a friend, a resident assistant, an area coordinator, a member of the dean of students' office, the Office of Safety and Security, Health Services, Counseling Services or the Title IX coordinator. Please refer to the resource list at the end of this site.

If you are assaulted:

- Get to a safe place and call someone you trust, a friend or an RA. It is best, however, to contact an area coordinator as soon as possible.
- Call Ext. 2325 – this will alert the Office of Safety and Security who may, in turn, call the counselor on-call.
- Get medical attention immediately at Newport Hospital.

It is extremely important that you seek medical attention immediately because you could be injured internally, as well as externally, by the assault. A prompt medical examination will test for pregnancy and sexually transmitted diseases. A medical examination can secure valuable evidence that can be used later should you wish to have the assailant prosecuted. Upon your request, someone will accompany you to the hospital whenever possible.

Do not drink, bathe, douche, brush your teeth, change clothing or comb your hair. It is natural to want to do these things, but you may be destroying vital evidence if you decide to prosecute at a later date. In the course of your medical examination, this evidence will be collected by the hospital staff. If changing clothes is necessary, clothing worn during the assault should be placed in a paper bag.

- Seek the assistance of the Counseling Center, Health Services or the dean of students' office.
- The University recommends that you contact the Newport Police Department, who may take your report and connect you with an advocate if you desire.
- Document the incident as soon as possible, writing down every detail about the assault, including:
 - Who, what, where, when, how.
 - The appearance of the assailant, including any identifying marks or scars, and information on any vehicle used.
 - What kind of force or coercion was used.
 - Any objects touched, taken, or left by the assailant.
 - Anything said by the assailant – document words, grammar, any accents or speech defects.
 - Any possible witnesses – who and where they might be.

At the earliest opportunity, the above information should be given to one of the resources listed in this section. This information will be crucial should the police department become involved and criminal charges are filed.

Campus Reporting Procedures

Students are encouraged to report any incidents of abuse, assault, or harassment to the Title IX coordinator, the Office of Residential Life, the Office of Safety and Security, Counseling Services, the dean of students' office, the Mercy Center for Spiritual Life or local law enforcement. Staff is available 24 hours a day to provide immediate support and arrangements for emergency and/or counseling services. It is important to remember that prompt reporting is vital to the preservation of evidence that can substantiate charges.

Many individuals who experience sexual assault or abuse don't report it at the time of the incident. If you were assaulted weeks ago – or even years ago – assistance is still available. Talking with someone now may help you cope better with abuse from the past, whether it was rape, child sex abuse, incest or sexual harassment. (See "What to do if you are assaulted" on page 39 of the student handbook.)

If you decide to report an assault, every effort is made to keep the identities of the victim and perpetrator protected. University personnel are only informed on a "need to know" basis and with full knowledge of the victim. If you choose to report an assault to either Health Services or Counseling Services, that information, including the identities of the victim and perpetrator, is bound by the confidentiality laws of the state of Rhode Island. When a report is received by the dean of students, he/she is responsible for taking appropriate action. (See "Student conduct hearing procedures" on page 13 of the student handbook.) An investigation will take place and, if there is a preponderance of evidence, then University sanctions will be imposed. In addition to these sanctions, other conditions (i.e. adjusting class schedule, residence and phone numbers) may be imposed in order to respect the safety needs of the victim as well as the University community. If there is evidence that the perpetrator is a threat to the community, then the University community will be notified.

The University will provide medical and counseling assistance to victims of assault on a 24/7 basis. The Office of Safety and Security is available 24/7. Counseling Services is available from 9 a.m. to 5 p.m. Monday through Friday but can be reached around the clock by calling the Office of Safety and Security or through the area coordinator. Health Services is available from 8 a.m. to 5 p.m. Monday through Friday. At any other time, students are encouraged to use Newport Hospital.

Students who are dissatisfied with the handling of cases involving sexual assault or harassment may notify the dean of students at Ext. 2206, the vice president for student affairs at Ext. 2205, or the Office of Civil Rights, U.S. Dept. of Education, 33 Arch St., Suite 900, Boston, MA 02110-1491, e-mail: ocr.boston@ed.gov.

Whether you choose the internal or external process, a University representative will be able to provide assistance.

Anonymous Reporting

If you are sexually assaulted and do not want to pursue action within the University system or the criminal justice system at this time, you may still want to consider having an anonymous report made. The report form is available through Counseling Services, Health Services, the dean of students' office and the Title IX coordinator's office; the details of the incident can be reported to the Office of Safety and Security without revealing your identity. The purpose of an anonymous report is to comply with your wish to keep the matter private while taking steps to ensure future safety for yourself and others. With such information, the University can keep accurate records about the number of assaults involving students; determine whether there is a pattern of assaults with regard to particular location, method, or assailant; and alert the campus community to potential danger.

On-Campus Resources

- Office of Safety and Security, Ext. 2325 or 5555
- Counseling Services, Ext. 2919
- Office of Residential Life, Ext. 2210. Contact RA on duty.
- Health Services, Ext. 2904
- Title IX coordinator: Dr. Paul Cardoza, Ext. 3219, paul.cardoza@salve.edu
- Mercy Center for Spiritual Life: Anna Mae Mayer, Ext. 2444, Fr. Kris von Maluski, Ext. 2368

Off Campus Resources

- Emergency 911
- Newport Police: Emergency (401) 847-1212, regular (401) 847-1306
- Newport Hospital emergency room: (401) 845-1120
- Newport Women's Resource Center: (401) 847-2533
- Day One – Providence Rape Crisis Center: (401) 421-4100