

## Definition of Sexual Assault

The University of Minnesota Duluth strives to assure the safety of their students, faculty, and staff in fostering a community free from violence. **Sexual assault** is actual, attempted, or threatened sexual contact with another person without that person's consent. **Sexual assault** often is a criminal act that can be prosecuted under Minnesota state law, as well as under the Student Conduct Code and employee discipline procedures. **Sexual assault** is any sexual activity involving a person who does not or cannot consent (e.g., an intoxicated person cannot give consent). Examples of sexual assault include rape and touching of private body parts (both under or over clothing). Examples of unwanted sexual contact include indecent exposure, obscene phone calls, sexting (texting sexual content), and internet distribution of sexual materials. All rape is sexual assault, but not all sexual assault is rape. These types of behavior are not tolerated at the University.

## Addressing Sexual Assault

Through the sexual assault protocol, the University seeks to provide a consistent, caring, and timely response when sexual assault occurs within the University community. Support and information are available to assist the UMD community and are outlined in the protocol. In addition, educational programs addressing rape and sexual assault take place throughout the year.

Visit the protocol online to learn more about sexual assault, addressing sexual assault, and full details about the protocol.

The UMD Sexual Assault Protocol can be found at: [www.d.umn.edu/umdoeol/sexual\\_assault\\_protocol.html](http://www.d.umn.edu/umdoeol/sexual_assault_protocol.html).

UMD Office of Cultural Diversity  
Updated 8/16/12

## Assistance in Reporting

### Program for Aid to Victims of Sexual Assault (PAVSA)

|  |                |
|--|----------------|
| 24-Hour Sexual Assault Crisis Line                           | (218) 726-1931 |
| Monday through Friday from 8:30 a.m. - 4:30 p.m.             | (218) 726-1442 |
| Monday 6-9 p.m. and Thursday 6-9 p.m. PAVSA Advocates at UMD | (218) 464-7993 |

UMD Counseling (218) 726-7913 or 726-8155

UMD Women's Resource and Action Center (WRAC) (218) 726-6292 or 726-8444

UMD Office of Student Conduct (218) 726-7255

UMD Office of Equal Opportunity (218) 726-6827

## Resources Available to the Victim/Survivor

The University will provide victims/survivors access to confidential services, support and referrals, as well as assistance in filing a criminal charge (should the victim/survivor choose to do so).

### Confidential Assistance

(All of the following services are free and confidential.)

### Program for Aid to Victims of Sexual Assault (PAVSA)

|                                   |                |
|-----------------------------------|----------------|
| 24-Hour Crisis Line               | (218) 726-1931 |
| Monday-Friday 8:30 a.m. 4:30 p.m. | (218) 726-1442 |

UMD Counseling (Health Services) (For students only) (218) 726-7913 or 726-8155

Employee Assistance Program (For employees only) (218) 249-7077

UMD Campus Ministry (218) 726-8737

### Non-Confidential Resources

UMD Women's Resource and Action Center (WRAC) (218) 726-6292 or 726-8444

### Medical Assistance

St. Luke's Hospital (218) 249-5555  
915 East First Street

Essentia Health (St. Mary's Hospital) (218) 786-4000  
407 East Third Street

UMD Health Services (218) 726-8155  
615 Niagara Court

UNIVERSITY OF  
MINNESOTA DULUTH

# Sexual Assault Protocol

## Believe victims

...who say they have been hurt  
and believe you can make a difference.

## Prevention is everybody's business

Men and women must work together to end violence. Prevention begins with understanding gender violence and making a commitment to make a difference in our everyday lives.

## Education is the key

...to making clear the reality of sexual violence  
and how to end it.

## It is not your fault

If you have experienced sexual assault, abuse in your relationship, or stalking, the responsibility lies with the person who chose to hurt you.  
It is never the victim's fault.

Text used with permission from The Aurora Center for Advocacy and Education, UM-TC.



To read the full UMD Sexual Assault Protocol, visit:  
[www.d.umn.edu/umdoeol/sexual\\_assault\\_protocol.html](http://www.d.umn.edu/umdoeol/sexual_assault_protocol.html)

# COMPARISON CHART ON REPORTING SEXUAL ASSAULTS | FREQUENTLY ASKED QUESTIONS

|   | Anonymous/Confidential Report  | Formal University Report  | Standard Police Report   |
|---|--|---|--|
| <b>To whom should/may I report?</b>   | <ul style="list-style-type: none"> <li>PAVSA – go to either of St. Luke’s or St. Mary’s Emergency Department to receive a sexual assault exam and have evidence collected. A sexual assault nurse examiner can make an anonymous report to law enforcement on your behalf if the assault happened within the jurisdiction of UMD Police, Duluth PD, Hermantown PD, Proctor PD, St. Louis County Sheriff’s Department, Douglas County Sheriff’s Department, or Superior PD.</li> </ul> <p>If the assault did not occur within the jurisdiction of any of the above-mentioned law enforcement agencies, you may opt to have some evidence stored at the hospital for up to six months while you decide whether or not to move forward with a standard police report.</p> | UMD sexual assault investigator (non-criminal investigation STUDENTS)<br>Office of Student Conduct (218) 726-7255 (non-criminal investigation STAFF/FACULTY)<br>Office of Equal Opportunity (218) 726-6827  | <ul style="list-style-type: none"> <li>UMD Police Department (if incident occurred on campus – call 911)</li> <li>Duluth Police Department (if incident occurred off campus) – case may be referred to the law enforcement agency with jurisdiction at incident location – call 911</li> </ul> |
| <b>Will my report be confidential?</b>  | Yes  | No  | No   |
| <b>Will forensic evidence be gathered (rape kit, bedding, etc.)?</b>  | <ul style="list-style-type: none"> <li>Yes, if victim/survivor goes to the hospital; however, evidence at the crime scene will not be collected unless a standard police report is made.</li> </ul>  | No  | Yes, if victim/survivor consents to evidence collection and goes to the hospital   |
| <b>Will I have to testify in criminal or civil court?</b>   | No   | No, not likely unless a case is filed in civil court  | Possible, if criminal charges are filed and there is a court trial   |
| <b>Will I have to testify at University hearing procedures?</b>   | No   | <ul style="list-style-type: none"> <li>No, if accused takes responsibility and accepts sanction/discipline</li> <li>Yes, if accused student rejects sanctions and requests formal hearing</li> <li>Yes, if faculty/staff contests outcome of investigation</li> </ul> | <ul style="list-style-type: none"> <li>No, if accused takes responsibility and accepts sanction/discipline</li> <li>Yes, if accused student rejects sanctions and requests formal hearing</li> <li>Yes, if faculty/staff contests outcome of investigation</li> </ul>                          |
| <b>If I first choose to not pursue criminal charges, may I change my mind at a later date and then pursue criminal charges?</b> | <ul style="list-style-type: none"> <li>You may always choose to make a report of a crime at a later date; however, if evidence is not collected (i.e., you speak with an advocate but do not have a sexual assault exam or make a standard police report), it is often difficult to pursue an investigation.</li> </ul> <p>If you choose to make an anonymous report through a sexual assault nurse examiner after a forensic exam, you may choose to switch from an anonymous report to a standard police report. The evidence collected will then be used by law enforcement in an investigation.</p>  | N/A   | Yes. Having forensic evidence collected upon first report will help support requesting criminal charges at a later date. Any criminal charging is the county attorney’s decision.  |
| <b>Is it possible the perpetrator will be interviewed?</b>  | No   | Yes   | Yes, unless it is an anonymous report  |
| <b>If the charges are supported, will the perpetrator receive any punishments or sanctions?</b>                                 | No   | <ul style="list-style-type: none"> <li>For students, sanctions from Student Conduct Code possible</li> <li>For faculty/staff, discipline possible by appropriate administration</li> </ul>  | <ul style="list-style-type: none"> <li>Punishment through criminal court only if case goes through court process</li> <li>For students, sanctions from Student Conduct Code possible</li> <li>For faculty/staff, discipline possible by appropriate administration</li> </ul>                  |
| <b>I have classes with the perpetrator. What can I do?</b>  | N/A  | With permission, the Office of Student Conduct staff will make arrangements (218) 726-8969  | With permission, the Office of Student Conduct staff will make arrangements (218) 726-8969   |
| <b>The perpetrator lives in Housing/Res Life, as do I. What can I do?</b>   | N/A  | With permission, the director of Housing/Res Life will make arrangements. (218) 726-8178.   | With permission, the director of Housing/Res Life will make arrangements. (218) 726-8178.  |
| <b>Will my neighbors in Housing be informed?</b>  | They will not hear about it from official sources.   | They will not hear about it from official sources.  | They will not hear about it from official sources.   |
| <b>If the perpetrator is faculty/staff, will my colleagues know?</b>  | They will not hear about it from official sources.   | They will not hear about it from official sources.  | They will not hear about it from official sources.   |
| <b>Will there be a UMD Police Department alert?</b>   | It depends on the situation. There may be a need to warn the community. No victim/survivor-revealing details will be given out.  | N/A   | It depends on the situation. There may be a need to warn the community. No victim/survivor-revealing details will be given out.  |
| <b>Will a police office interview me?</b>   | No   | N/A   | Yes  |
| <b>Will a police officer interview the perpetrator, witnesses, or friends?</b>  | No   | N/A   | Yes  |
| <b>Will my case be counted as part of UMD’s Clery Act statistics?</b>   | <ul style="list-style-type: none"> <li>Yes, but no identifying information is shared</li> <li>No, if you speak to an advocate at PAVSA</li> </ul>  | Yes   | Yes  |

