

## After Disclosing Sexual Misconduct - For Victims/Survivors

**When sexual misconduct occurs, it is never the victim’s fault.**

Disclosing sexual misconduct is a personal decision based on many factors. No one ever deserves to be sexually or physically assaulted, sexually harassed, exploited, stalked, or experience any form of sexual misconduct or interpersonal violence. Disclosing sexual misconduct allows a victim/survivor to be supported by others and connect with confidential on-campus and/or community resources that can offer support, advocacy, and healing.

Disclosing sexual misconduct can come with many emotions as a victim/survivor copes with processing the incident and other people knowing about the incident. There are no “wrong” emotions or feelings, and they may differ for everyone based on their experiences and identities. A few examples are below - this is not an exhaustive list.

Confused	Betrayed
Empowered	Fearful
Panicked	Relieved
Angry	Regretful
Guilty	Supported
Ashamed	Responsible

### **What Happens Next?**

**If you disclosed to a UWO Confidential Resource (Victim Advocate, Student Health Center, Counseling Center, EAP for employees):**

UWO Confidential Resources can help you decide if you want to report to the University and/or law enforcement and help you to report. The Victim/Survivor Advocate and the Student Health Center will need to report any sexual misconduct crime statistics, with no personally identifying information about the victim or the alleged offender, but this is NOT a university report.

Licensed Professional Counselors in the Counseling Center do not have to bring disclosures forward to the University at all but can help a victim/survivor to report if they wish to do so. See below for what happens after a report is made to the University.

**If you disclosed to any other UWO employee:**

All other UWO employees must bring disclosures of sexual misconduct forward (report) to the University/Title IX Coordinator per policy and law. This is a university report. Reporting is designed to provide safety, information, and remedies available to victims/survivors. After a

report of sexual misconduct is received by the University, the individual named as the victim/survivor will be emailed or called by the Title IX Coordinator, a Title IX Deputy, or other Title IX personnel to ask for a meeting. In this meeting, the victim/survivor will be informed of their options and rights, including their right to file a formal complaint. Students and/or employees may bring a support person to this meeting. Victims/survivors will remain in control of their decisions and participation throughout the process. This meeting can occur in-person, on the phone, or by video conferencing. Please plan to attend this meeting so you can learn about your options and rights, and the resources available to help you decide how you would like to move forward.

### **Reporting Options**

Those who have been subjected to an incident of sexual misconduct have several options for reporting after a confidential disclosure and/or beyond mandatory employee reporting. All reporting options are listed below:

<p>1. An individual may elect to not report to the University and/or law enforcement right away or at all, and/or to seek confidential support services only, such as healthcare or counseling. See the Title IX website <a href="#">support</a> page for a list of campus and community resources (<a href="https://uwosh.edu/titleix/">https://uwosh.edu/titleix/</a>).</p>
<p>2. An individual may report sexual misconduct to the University through the campus Title IX Coordinator or other designated reporting office or method listed below:</p> <ul style="list-style-type: none"><li>• Title IX Coordinator, Amy Andersen, <a href="mailto:andersena@uwosh.edu">andersena@uwosh.edu</a>, 920-424-0835, Dempsey 337, <b>Sexual Misconduct Reporting Form</b>, <a href="https://uwosh.edu/titleix/report-it/">https://uwosh.edu/titleix/report-it/</a></li><li>• Equal Opportunity, Equity &amp; Affirmative Action, <a href="mailto:afaction@uwosh.edu">afaction@uwosh.edu</a></li><li>• Human Resources, <a href="mailto:hroffice@uwosh.edu">hroffice@uwosh.edu</a>, 920-424-1166, Dempsey 328</li><li>• Dean of Students, 920-424-3100, Dempsey 125</li></ul> <p><b>Note:</b> University reports made to any of these offices do not go to law enforcement.</p>
<p>3. An individual may report information to campus law enforcement:</p> <ul style="list-style-type: none"><li>• UWO Police, <a href="mailto:uwopolice@uwosh.edu">uwopolice@uwosh.edu</a>, 920-424-1212, Radford Hall, Lower Level.</li></ul> <p><b>Note:</b> A report to UWO Police will go to the Title IX Coordinator/University.</p>
<p>4. An individual may report anonymously on the <b>Clery Reporting Form</b> located on the UWO Police website, Clery &amp; Safety tab. <a href="https://uwosh.edu/police/report-a-clery-incident/">https://uwosh.edu/police/report-a-clery-incident/</a>. Reporting anonymously is an option for victim/survivors, confidential resources, guests, and parents or guardians.</p> <p><b>Note:</b> Reporting anonymously will not result in a university or campus police response or investigation, unless it is determined from the information provided, there is an on-going physical threat to an individual or the greater campus community. Anonymous reports may limit the University and campus police from responding effectively to reports. If an individual</p>

is seeking a university or campus police response and/or investigation, use the official reporting options listed in #2 above.

5. An individual may report information to local law enforcement:

- 911 in an emergency
- City of Oshkosh Police, 920-236-5700
- Menasha Police, 920-967-3500
- Fond du Lac Police, 920-906-5555
- Appleton Police, 920-832-5500
- Neenah Police, 920-886-6000

6. Individuals have the option to file a complaint with the [U.S. Department of Education, Office for Civil Rights](https://www2.ed.gov/about/offices/list/ocr/docs/howto.html) (<https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>).

**Note:** An individual may make a report to one or more of the offices or individuals noted above.

## **Other Important UWO Policy Information**

### **Amnesty**

Individuals, including complainants, respondents, and witnesses, who have made a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing regarding incidents of sexual misconduct generally will not be issued citations by campus law enforcement or subject to disciplinary sanctions for alcohol violations arising out of the same facts and circumstances of the alleged incident unless the institution determines that the violation was egregious, and/or placed the health or safety of any person at risk, and was beyond the amnesty provided by state law. [See law here](https://uwosh.edu/titleix/report-it/) (<https://uwosh.edu/titleix/report-it/>).

### **Confidentiality**

Individuals, including complainants, who report to any of the offices or individuals noted above, or to any other University employee, except confidential employees or resources, cannot be assured absolute confidentiality. However, information provided in the report and in any subsequent, related proceeding will only be shared with those individuals who have a need to know to fulfill obligations consistent with university policies, processes, or laws.

### **Supportive Measures**

The University will work with individuals involved in alleged incidents of sexual misconduct to undertake appropriate measures to assist in their safety and wellbeing. These may include no-

contact directives, academic or work modifications, and relocation of living or working space. Supportive measures are available to complainants and respondents.

### **Prohibition Against Retaliation**

Prohibited retaliation includes intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by UWO policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Those who believe they have been subjected to retaliation under UWO policy may report the allegations to the Title IX Coordinator or a Title IX Deputy. Those who believe they have been subjected to retaliation that would also constitute a crime may also report to UWO Police.

[Sexual Misconduct Terms & Definitions](https://uwosh.edu/titleix/), and more information, can be found on the UWO Title IX website, <https://uwosh.edu/titleix/>.

## **Preserving Evidence in Sexual Misconduct Cases**

Evidence of sexual misconduct including, sexual assault, dating violence, domestic violence, sexual harassment, sexual exploitation, or stalking should be preserved as soon as possible, even if you are unsure about reporting to the University or law enforcement. Preservation of evidence is essential for investigations and accountability in university, criminal, or civil proceedings.

Write down, or have a friend write down, everything you can remember about the incident, including a physical description of the offender. You should attempt to do this even if you are unsure about reporting the incident in the future.

### **Forensic Evidence**

If you choose to report a sexual assault and pursue legal options, a prompt forensic examination can be crucial (also called a SANE exam).

- Avoid drinking, bathing, showering, brushing your teeth, using mouthwash, or combing your hair.
- Do not change clothes. If you have already changed your clothes, place your clothing and other items (sheets, blankets) in a brown paper bag (a plastic bag may destroy evidence).
- Go to a hospital emergency department, such as Aurora Medical Center, which has the capability to provide a Sexual Assault Nurse Exam and medical care for victims of sexual assault and intimate partner violence. You have the right to refuse the entire exam or any part of it at any time.

- If you suspect that you are the victim of a drug-facilitated sexual assault, ask the hospital or clinic where you receive medical care to take a urine sample. Drugs, such as Rohypnol and GHB, are more likely to be detected in urine than in blood. Rohypnol stays in the body for several hours and can be detected in the urine up to 72 hours after taking it. GHB leaves the body in 12 hours.
- Bring someone to the hospital with you for support. UWO has a Victim Advocate who can provide you with confidential support and talk with you about your options. There are also community Advocates the hospital can call for you.
- If you need a ride to or from the hospital, UWO Police will escort you 24/7 at no charge. Contact UWO Police at 920-424-1212. You do not have to specify the details of why you need to go to the hospital to the police officer.

### **Physical Evidence**

Physical evidence should be preserved even if you choose not to go to the hospital for an exam. Save all the clothing you were wearing at the time of the assault. Put each item in a separate paper or cloth bag. Save all bedding (blankets, sheets) and put each in a separate bag. Take photographs of any visible physical injuries (bruising, scratches) for use as evidence. If you report to law enforcement, they may want to take their own photos as evidence.

### **Electronic Evidence**

Evidence such as texts, emails, social media posts, chats, pictures, videos, or other forms of electronic communication can be helpful in a university or criminal investigations. Download, save to a .pdf, take screen shots, or use other methods to preserve electronic evidence.

Updated 8/2021