

Campus Safety & Security

Services and Programs

- Campus Police offers Victim Advocate services to those individuals that have been a victim of a campus crime.
- Offer sessions each semester on topics of concern including personal safety, awareness and security, general crime prevention, rape prevention, and prevention of burglary and vandalism.
- Provide information on safety and security to students and employees regularly through lectures, films and brochures.
- Provide engraving to identify personal possessions
- Register bicycles
- Maintain information on crime statistics
- Inspect campus facilities regularly, noting any discrepancies, which might affect safety and security, such as broken windows and locks, faulty lighting, smoke detectors or fire extinguishers.
- Monitors the lighting on campus, particularly in areas frequently traveled by students.
- Maintains and monitor all (42) outdoor emergency telephones strategically located throughout the campus. These are connected directly to the Campus Police Department.
- Patrol all fraternity and sorority houses (independently leased, operated, and not supervised by the University) off campus.
- Secures all academic and administrative facilities and buildings at night and on weekends, or whenever they are not in use.
- Provides electronic monitoring and/or alarm systems for areas of vulnerability.
- Admits students to secured buildings or areas with written permission from the appropriate department chair.

Safety and Crime Prevention Tips

For optimum effectiveness, the cooperation and involvement of students themselves in the campus safety program is also necessary. Students must assume

responsibility for their own personal safety and the security of their personal belongings. This involves taking simple precautions which help to avoid becoming the victim of a crime.

On the street and around campus:

- Do not walk alone, especially at night
- Do not take shortcuts. Stay in well-lighted areas or frequently traveled areas
- Do not wait for a ride alone - wait with a friend
- Be alert and aware of your surroundings
- Call a Campus Police Officer to provide an escort within the parameters of the campus and immediate vicinity when needed. For a non-emergency, please call at least 20 minutes in advance of needed escort time.
- Report any suspicious person to Campus Police
- Park cars in their assigned areas and keep them locked at all times
- Keep valuables out of sight, preferably locked in the trunk
- Have keys ready when you approach your car
- Lock doors at night and any time the room is unoccupied.
- Lock valuables up and keep them out of sight if possible
- Mark all items such as stereos, cameras and televisions with engraving. This service is provided by Campus Police free of charge.
- Register bicycles and make sure they are always secured with a sturdy lock
- Report lost or stolen keys immediately
- Do not let anyone else use keys that have been issued to you.
- Never prop external doors.

Sexual Misconduct

Winthrop University is an educational community committed to common standards of integrity and respect for all of its members. All members of the Winthrop

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community, guests, and visitors have the right to be free from sexual harassment and sexual misconduct; and such behavior will not be tolerated by the Winthrop community. Winthrop is committed to taking immediate, equitable, and effective actions to respond to sexual harassment and sexual misconduct to prevent its reoccurrence and to address its effects. For purposes of this Policy, sexual misconduct is always considered a form of sexual harassment; and the term sexual misconduct is used unless there is a specific reference to sexual harassment as defined in the Code of Student Conduct.

Sexual misconduct can occur in many relationships and may involve, "... offensive touching; non-consensual sexual assault; forced sexual assault; stalking; or sexual exploitation and other sexual misconduct violations" (Winthrop Student Handbook, Student Conduct Code, page 61).

This behavior interferes with the educational mission of the University by:

- Endangering the physical and emotional safety of community members,
- Damaging trust in the community,
- Offending the dignity and violating the autonomy of community members, and
- Disrupting the academic progress of victims or survivors during their recovery.

Definition of Consent

Consent is clear, knowing, and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Previous relationships or prior consent cannot imply consent to future sexual acts.
- Resistance is not necessary in order to demonstrate lack of consent. At any time consent can be withdrawn by either partner communicated by words or actions.
- Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also

includes threats, intimidation (implied threats), and coercion that overcome resistance or produce consent ("Have sex with me or I'll hit you." "Okay, don't hit me; I'll do what you want.").

- Coercion is unreasonable or persistent pressure for sexual activity. Persistent pressure past a refusal or an indication that a person does not want sexual contact, that they want to stop, or that they do not want to go past a certain point of sexual interaction, is considered non-consensual. Coercion may also be an implied threat such as blocking an exit until the person provides the desired sexual activity.
- Sexual activity with someone, who based on the circumstances one should reasonably have known to be, mentally or physically incapacitated by alcohol or other drug use constitutes a violation of this Policy.
- Incapacitation is a state where someone cannot make rational, reasonable decisions and lacks the capacity to give knowing consent. The amount of alcohol consumed and the time period in which it was consumed should be considered. The following behaviors may be signs that an individual is intoxicated through the use of alcohol or another intoxicant and cannot consent to sexual contact: slurred speech, slowed reflexes, loss of balance, inability to concentrate or track conversations, vomiting, outrageous or unusual behavior, concern expressed by others about the individual, expressed memory loss or disorientation.
- Hangovers and memory loss may be delayed signs of intoxication and an inability at the time to give consent.
- This Policy also covers a person whose incapacity results from mental disability, sleep, deprivation, involuntary physical restraint, or from the ingestion of drugs, commonly known as "date rape drugs."
- An individual who is not conscious cannot, by definition, give consent.
- Use of alcohol or other drugs will never function as a defense for a violation of this Policy.
- The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this Policy.

Office of Victims Assistance
John Harris
Victim Service Coordinator

Campus Safety & Security

220 Crawford Building (803) 323-2206
www.winthrop.edu/victimassistance/

Definition of Sexual Assault

Sexual assault refers to any unwanted sexual acts that involve threats, physical force, intimidation or deception. Sexual assault can be defined as one or more of the following:

- a. **Offensive Touching:** The touching of an unwilling person's intimate parts; touching an unwilling person with one's own intimate parts; causing an unwilling person to touch another's intimate parts.
- b. **Non-Consensual Sexual Assault:** Unwilling or non consensual penetration of any bodily opening with any objects or body part.
- c. **Forced Sexual Assault:** Requires the use of physical force and/or penetration. Coercion, the threat of immediate physical harm, the restriction of movement, and/or the administration of a drug, intoxicant or a physical substance that impairs the faculties of a person would all constitute forced sexual assault.

Guide For A Student Who Has Been Sexually Assaulted

Getting Help:

If a student is sexually assaulted, it is important that the victim get to a safe place and get medical assistance and support as quickly as possible. We encourage students to report to the police by calling 911 or (803) 323-3333 for Campus Police. Campus Police will take a report and assist a student in accessing other services. Making a police report does not require a victim to press charges. A victim may also access services and report the assault anonymously through a number of offices on campus such as the Office of Victims Assistance, Dean of Students Office, Student Affairs staff members, Residence Life staff and Health and Counseling Services. Each of the staff are available to provide information and support to a victim.

Preserving Evidence:

It is strongly recommended that a victim of sexual assault receive medical attention as soon as possible after the incident. In order to collect and preserve evidence a medical examination, called a rape protocol exam, must be performed by a Sexual Assault Nurse Examiner, (SANE nurse) within 72 hours of the incident. A thorough examination may be able to detect injuries of

which the victim is unaware. All evidence will be documented anonymously if the victim chooses and preserved in the event that the victim chooses to take legal action.

If the victim has reported to Campus Police a Victim Services Coordinator or Victim Advocate will accompany the victim to Safe Passage where the exam will be preformed. If the victim chooses to report anonymously or to another university contact, that person can assist the victim in accessing medical services on an emergency basis and arrange for a trained volunteer or staff person from Safe Passage to accompany the victim.

The examination preformed by the SANE nurse is at no cost to the victim. It is important that the victim not wash, eat or drink, smoke, brush their teeth, change clothes, or use the bathroom in order to best preserve any evidence that may be found on the victim's body. If any of this is done, however, a rape protocol exam can still be performed. If the victim changes clothes after the assault, the clothing worn should be put in a paper bag and taken to Safe Passage.

When a victim undergoes a rape protocol exam, a SANE nurse will complete the exam. All SANE nurses are registered nurses specially trained in treating sexual assault victims and are available 24 hours a day in order to ensure a higher quality of care. The SANE nurse will gather information from the victim about the crime before performing the physical examination. All victims have the option of receiving emergency contraception, referrals for future medical and psychological support, and receiving treatment for sexually transmitted infections.

After 72 hours, the victim cannot receive a rape protocol exam, but she/he should schedule a medical examination with a private physician or through Health Services at Winthrop University by calling (803) 323-2206. The victim may have internal injuries that need to be treated. A police report can still be made after 72 hours. There is no time limitation on reporting a sexual assault.

If a sexual assault has just occurred and the victim calls Campus Police, the Victim Services Coordinator or Victim Advocate will be contacted. The Victim Services Coordinator or Victim Advocate will meet the victim either at the place where the incident occurred, at the police station, or at the emergency facility. An officer will be present to obtain pertinent information about the offender.

If the victim knows the offender and/ or can provide information, then law enforcement will try to locate the offender. The victim does not have to press charges. The officer taking the initial incident report will provide the victim with a document which describes her/his rights,

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local assistance and social service providers, and victim's compensation benefits.

Emergency housing is available upon request. The Victim Advocate will contact the victim the following day to ensure the victim is aware of all counseling services available. The victim's professors can be notified that the student will be missing class, however the nature of the victim's circumstances will not be revealed.

Definition for other Sexual Misconduct Violations

The University will take disciplinary action for other types of sexual misconduct, including but not limited to:

1. Using university computers to display in public places obscene material that is offensive to others [as described in SC Code of Laws, Article 3., 16-15-305 (Obscenity)] or to access child pornography [as described in SC Code of Laws, Article 3., 16-15-395 & 405 (Sexual Exploitation of a Minor)].
2. Indecent exposure / exhibitionism.
3. Voyeuristic behavior.
4. Unsolicited offensive communications.
5. Sexual Harassment (see page 53).
6. Relationship Violence.

Definition of Relationship Violence

Relationship violence, for the purpose of this description and related procedures, may include but is not limited to:

- a. Physical abuse (e.g., slapping, pulling hair, punching)
- b. Threats of abuse (e.g., threatening to hit, harm or use of a weapon on another or self, or other forms of verbal abuse)
- c. Emotional/psychological abuse (e.g., harassment, name calling, manipulation) that creates and maintains a degrading environment; and
- d. Sexual abuse (e.g., forced sexual conduct and/or any behavior that meets the definition of sexual assault).

Relationship violence is directed toward a current or former partner or spouse.

Relationship violence is a cycle of behavior that repeats over and over again and without intervention the violence tends to escalate and become more serious. These controlling behaviors are a violation of the Winthrop University Code of Conduct and the SC Code of Laws.

Guide For A Student Experiencing Relationship Violence

Seek medical attention as needed through Health and Counseling Services on campus or through after hour's emergency services listed at the end of this section.

Make a plan for safety. Once violence occurs it may occur again especially if the perpetrator believes that they are losing control. Contact Campus Police or the local police. Make arrangements for alternate housing.

Talk to a trusted person as relationship violence is traumatic and feelings can be overwhelming.

Utilize the confidential professional local and on campus resources available. They are listed at the end of this section.

Definition of Stalking

Stalking generally refers to harassing or threatening behavior that an individual engages in repeatedly, such as following a person, appearing at a person's home or place of business, making harassing phone calls, leaving written messages or objects, or vandalizing a person's property. Stalking is not a one-time event, but rather a series of threatening incidents that, if not responded to, may end in violence.

Stalking often causes pervasive, intense fear and can be extremely disruptive for the victim. In addition to presenting a continual threat of physical and/or sexual violence, the stalker can erode the victim's sense of safety and personal control.

Online stalkers (Cyberstalkers) can easily disguise themselves by adopting several false identities and then harass the target through unsolicited emails, disturbing private or public messages on bulletin boards or in chat rooms, and communiqués of actual threats of harm. In addition, stalkers may pose as the victim online in order to incite others to harass and threaten the victim. Online stalking may lead to other forms of stalking.

Charges for the described behavior could range from sexual assault to disorderly conduct or harassment, according to the Student Conduct Code and is a crime according to the State of South Carolina.

Reporting Incidents of Sexual Misconduct, Relationship Violence and/or Stalking:

All students are encouraged to report any instances of sexual misconduct, relationship Violence and/or stalking. Reporting the case to the campus or local police allows the authorities to better protect the victim, to gain access to the offender, to call attention to the offender's behavior, and to hold the offender accountable through the

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university judicial process and/or criminal justice system.

Victims are encouraged to document all incidents (e.g., keep notes and emails, track phone calls). This would help Authorities provide a comprehensive response to the victim. The victim may call Campus Police: (803) 323-3333, the Victim Services Coordinator: (803) 323-2206, the Dean of Students or the Assistant Dean of Students: (803) 323-4503.

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www.winthrop.edu/victimassistance/

Reporting & Confidentiality

Students reporting incidents of sexual misconduct are often concerned for their privacy and have questions about confidentiality. At Winthrop University there is a difference between privileged reporting and limited confidential reporting.

a. Privileged Reporting

Consists of those communications that legally cannot be disclosed, without the reporter's consent, to any other person, except under very limited circumstances such as an imminent threat of danger to self or others. When reporting to a privileged source, the information shared between the reporting person and the care provider is privileged and ordinarily will not be disclosed, even to other members of the university community.

Examples of Privileged Reporting Resources:

Counseling Staff (Psychiatrists, Psychologists, Counselors, Social Workers)
Health Service Staff (Nurses, or Nurse Practitioners)
Campus Ministry (ordained minister, priest, or rabbi)

b. Limited Confidential Reporting

Consists of those communications that will not be disseminated to others except on a need-to-know basis. Primary to a limited confidential reporting source is balancing the wishes of the reporting person while protecting the overall university community and assuring the appropriate disciplinary measures are taken including criminal, civil, and administrative.

A limited confidential reporting source has the obligation to enlist designated campus resources to ensure

that necessary steps are taken to protect the community as a whole and that appropriate disciplinary measures are considered and imposed. Such disclosures will be limited to a finite group of people all with the same confidentiality obligations. These steps will include investigating the assault and disclosing the confidential communications to others on a need-to-know basis.

Examples of Designated Limited Confidential Reporting Resources:

Residence Life-RLCs and RAs
Victim Services Coordinator
Fraternity and Sorority Affairs program director
Dean of Students Office and Student Affairs staff
Faculty or Staff
All other Campus Security Authorities

Requests for Anonymity

When a student requests that his or her name not be used, the University will evaluate the request considering the following factors: the seriousness of the alleged misconduct and whether there have been other misconduct complaints about the same individual.

If the alleged has been named, then the rights of the alleged must also be considered. When anonymity is maintained, the victim should understand that the University's ability to respond is limited. In cases where the complainant wants to proceed, the University cannot keep the complainant's identity from the alleged student. Sexual misconduct is a serious offense, the alleged student has the right to know the identity of the complainant/alleged victim, and the process cannot proceed without a primary witness.

The University will inform the victim if it cannot ensure confidentiality and must proceed with an inquiry. In all cases when there is an allegation of sexual misconduct, the University has an obligation to take steps to limit the effects of the alleged sexual misconduct and prevent its recurrence.

c. Parental/Legal Guardian/Partner Notification

When and if parents and/or legal guardians are contacted is a decision the victim should make unless there are extenuating circumstances. A member of the sexual response team such as the Dean or Assistant Dean of Students can assist a student with notification. In some instances when there is a significant health or safety concern, the university may need to notify the parents, guardian, or partner of the individual involved in the

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sexual assault. In making this determination, the university will consider the wishes of those involved, their personal safety, and the safety of the campus community.

Consultation regarding disciplinary options:

A victim, witness, or advisor may request a meeting with the Dean or Assistant Dean of Students to discuss the allegation and to determine if there is reason to believe that a sexual misconduct violation has occurred. Disciplinary procedures will be reviewed at this meeting, and the process for going forward within the University system will be discussed. A friend, advisor, or parent may be present at this meeting at the victim's request. A victim does not have to make an immediate decision but will have time to gather information and make an informed decision.

Campus Disciplinary Procedures for Cases Involving Sexual Misconduct

Complaints of sexual misconduct will be handled by the University according to the procedures outlined in the Student Conduct Code (see pg 61) and the Policy on Student Sexual Misconduct Policy and Title IX Administration (see pg 83) both available in the Student Handbook.

Retaliation

The University prohibits adverse treatment of students for exercising their rights under this Policy. Any good faith report of sexual misconduct, experienced or observed, should be made without fear of retaliation. Retaliation by any member of the University community against a student for filing a complaint or participating in an investigation in good faith is strictly prohibited by law and this Policy. A student violator will be subject to disciplinary charges and/or summary action as outlined in the Student Conduct Code. A University employee would be subject to Human Resources policy and procedures.

Available Assistance and Support

- Students may receive medical assistance, counseling, academic assistance, and other services even if reporting anonymously.

Contact: The Victim Services Coordinator, John Harris, at (803) 323-2206

- Students may have their living arrangements modified if in university housing.

Contact: The Director of Residence Life, Cindy Cassens, at (803) 323-2223

- Students may, where reasonable and possible, have classes, labs, and other academic activities reassigned so as not to have to share classes with other involved students.

Contact: Dean Bethany Marlowe at (803) 323-4503

- Students will be notified and may be present for the outcome of the related campus disciplinary action for sexual assault.

Contact: Dean Bethany Marlowe or Assistant Dean Anthony Davis at (803) 323-4503.

Questions or requests for additional information regarding any of the procedures outlined in this section should be directed to the Dean of Students, 246 DiGiorgio Campus Center, (803) 323-4503.

Services Available to Students

A. On-Campus Resources

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|-----------------------------------|----------------|
| Campus Police | (803) 323-3333 |
| Office of Victim Assistance | (803) 323-2206 |
| Dean of Students Office | (803) 323-4503 |
| Health Services | (803) 323-2206 |
| Counseling Services | (803) 323-2233 |
| Residence Life | (803) 323-2223 |
| Judicial Affairs | (803) 323-4503 |

B. Off-Campus Resources

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| Safe Passage Domestic Violence Shelter & Counseling..... | (803) 329-2800 |
| Toll-Free Hotline..... | 1-800-659-0977 |
| Rape, Abuse & Incest National Network | 1-800-656-HOPE |
| | www.rainn.org |
| Sexual Assault Nurse Examiner..... | (803) 329-2800 |
| 16th Judicial Circuit Solicitor's Office..... | (803) 628-3020 |
| Rock Hill Police Department | (803) 329-7200 |
| York County Sheriff's Department | (803) 628-3059 |

C. Medical:

| | |
|---|----------------------------------|
| Piedmont Healthcare System (hospital) | (803) 329-1234 (800) 578-4555 |
| Riverview Medical Clinic | (803) 329-3103, open 24 hrs. |
| Piedmont East Urgent Care | (803) 329-1930 |
| Piedmont Urgent Care Baxter Village | (803)396-8100 |