

# Sexual Assault

## UCCS and Community Resources and Information

UCCS policy prohibits:

- Sexual Misconduct
  - Sexual Assault-- Nonconsensual Sexual Penetration
  - Sexual Assault--Nonconsensual Sexual Contact
  - Sexual Exploitation
  - Sexual Harassment
  - Intimate Partner Abuse
  - Stalking
- Protected Class Discrimination or Harassment (see the OIE website, <http://www.uccs.edu/~equity/>, for a full list of Protected Classes)
- Retaliation related to any of the above

### TITLE IX COORDINATOR

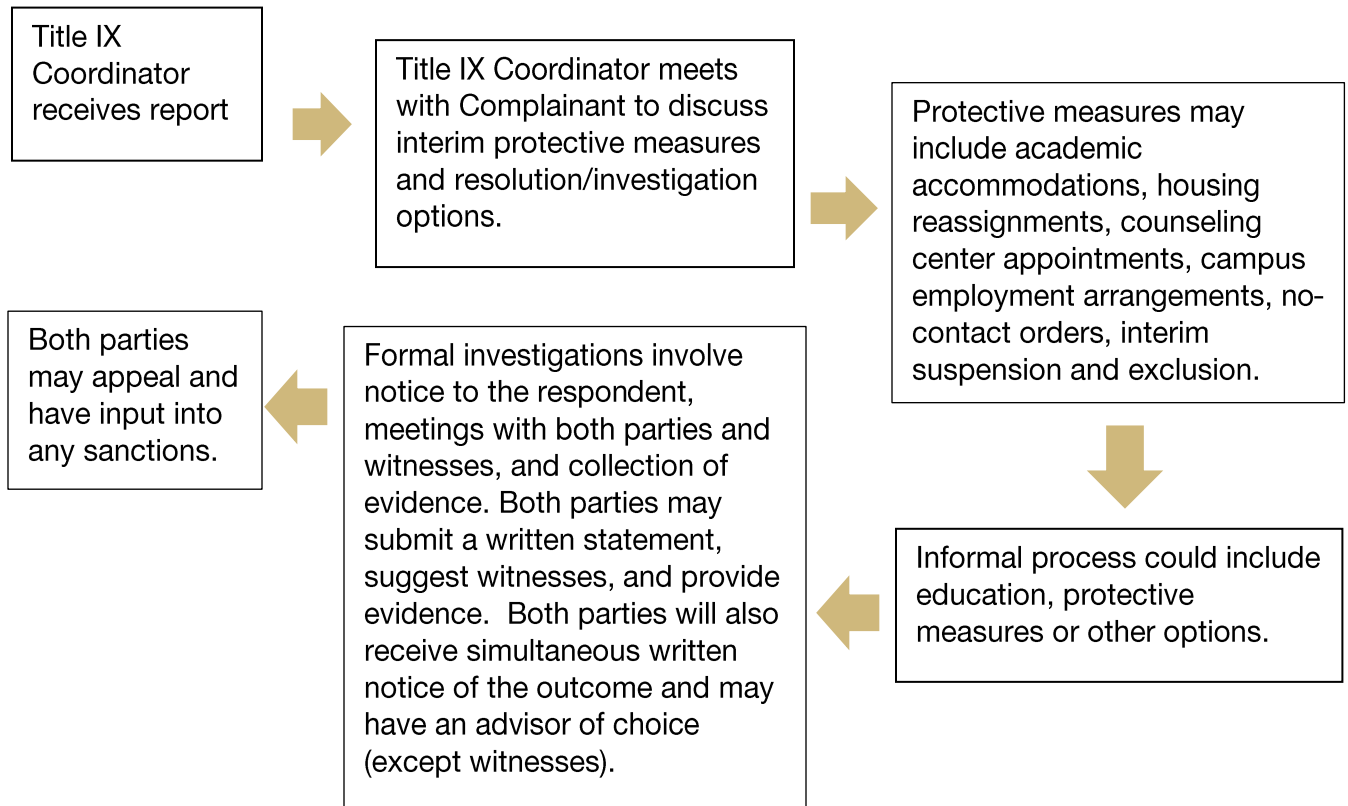
James Duvall  
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Office of Institutional Equity (OIE)  
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### If you experience sexual assault, you can:

- **Notify the police, either on-campus or off-campus. UCCS police can assist you with notifying off-campus police.**
- **Get to a safe place. If there is safety issue, please call the police, either UCCS Police (255-3111) or CSPD (911).**
- **Preserve evidence. Avoid showering or throwing away clothing. Go to Memorial Hospital (1400 E. Boulder St.) for a SANE (Sexual Assault Nurse Exam). You can get a SANE even if you don't pursue a criminal investigation. If during business hours, you can get medical treatment (but no SANE) at the UCCS Wellness Center for free. If you can, have a friend or support person go with you.**
- **You can report the matter to the Title IX Coordinator, who will discuss options, including protective measures such as counseling, no-contact orders, and academic accommodations, with you.**
- **If there is no safety issue, you may contact the Title IX Coordinator to talk about your options for resolution of issues involving sexual harassment, exploitation and other conduct prohibited by UCCS police.**
- **Students can talk confidentially to the Gallogly Wellness Center (255-4444), or contact TESSA (on off-campus advocacy group) at 633-1462, or the TESSA crisis line at 633-3819.**
- **Decline to notify the police.**

**If you choose to pursue a UCCS investigation through the UCCS Title IX Coordinator, the UCCS process is outlined below:**

### **Process**



### **During an Investigation/Resolution:**

**\*See <http://www.uccs.edu/~equity/> for more information**

UCCS will provide a prompt, fair and impartial resolution or investigation conducted by individuals who receive at least annual training on the issues related to dating violence, domestic violence, sexual assault and stalking, as well as on how to conduct an investigation that protects the safety of victims and promotes accountability.

Both complainants and respondents will be allowed to have an advisor of his or her choice throughout the process (provided that person is not a witness).

The complainant and respondent in a matter will be given simultaneous written notice of the outcome, including the rationale, the appeals process, and any sanctions.

UCCS will protect the confidentiality of victims, and will not disclose identifying information in Clery reports. UCCS will not disclose any protective measures except on a “need to know” basis.

**It is important to preserve evidence from a sexual assault, even if you do not intend to proceed with criminal charges!**

- **Do not shower, brush your teeth or change clothes. If you have already changed your clothes, place them in a paper bag. If you haven't changed, keep the original clothes on and bring an extra set to wear home from the hospital.**
- **Go to a hospital with the capability of providing a SANE exam and request the exam. You do not need to file criminal charges or give your name to the police to have a SANE exam.**
- **Screenshot any text messages and/or social media posts.**
- **Keep a journal and document your experiences and feelings.**

## **Protective Measures**

Speak to the Title IX Coordinator about obtaining protective measures. You do not have to file a formal complaint with the Title IX Coordinator or pursue a criminal investigation to receive help and support. The Title IX Coordinator can work with other offices and provide help in the following ways (not all are listed here):

- Gallogly Wellness Center referrals (Mental and Health)
- Academic Accommodations
- Housing rearrangements (for students living in UCCS Housing)
- Work rearrangements (for student employees)
- No-contact orders

Use the following UCCS resources to get the assistance you need:

## **On and Off-Campus Resources**

### **Office of the Dean of Students (DOS)**

719-255-3091

Main Hall 202

### **UCCS Police**

Department of Public Safety

719-255-3111

### **Colorado Springs Police Department**

705 S. Nevada Avenue, Colorado Springs

Emergency 911

Non-emergency 719-444-7000

### **UCCS Interim Title IX Coordinator**

James Duvall

Academic Office Building, Room 106

719-255-4324

### **Colorado Legal Services**

(income-based, not affiliated with UCCS)

617 S. Nevada Avenue, Colorado Springs

719-471-0381

### **TESSA**

(community agency for victims of sexual violence and domestic and dating violence)

Not affiliated with UCCS, provides counseling, victim's advocacy, a crisis line, safe houses and other services.

435 Gold Pass Heights, Colorado Springs

719-633-1462

Crisis line 719-633-3819

<http://www.tessacs.org/>

### **Gallogly Wellness Center**

(confidential reporting option for students) can provide medical care after a sexual assault during business hours, but cannot provide SANE exams. Can provide confidential counseling and support.

719-255-4444

### **UCCS Student Financial Aid**

(in conjunction with the Title IX Coordinator and/or the Dean of Students, can assist with financial aid issues resulting from matters of sexual misconduct)

Cragmoor Hall 201

719-255-3460

## **Immigration & Visa Information for Victims of Sexual & Interpersonal Violence**

International students and scholars with questions about their immigration and visa status are advised to seek the assistance of an immigration attorney. This document is a resource to explain certain aspects of the law, but is not a replacement for legal advice.

### **I've been a victim of assault, does my immigration status affect my ability to access on-campus resources?**

No. Under the law, students and staff who are victims or survivors of sexual and interpersonal violence receive the same rights under [Title IX of the 1972 Education Amendments](#) (Title IX) and the Violence Against Women Act (VAWA), regardless of immigration and visa status. Information about on-campus medical and counseling resources, as well as available accommodations, may be found at [www.uccs.edu/equity](http://www.uccs.edu/equity). Information about the student conduct process may be found at [www.uccs.edu/dos](http://www.uccs.edu/dos). The University will not retaliate against you or treat you differently on the basis of reporting a crime.

### **Can I press criminal charges as a documented or undocumented immigrant?**

Yes. Information about Colorado's criminal definitions of sexual assault, domestic violence, dating violence and stalking may be found in the Annual Security Report, [www.uccs.edu/asr](http://www.uccs.edu/asr). Specific questions about filing charges may be addressed to Lt. Marc Pino, 719-255-5919.

### **Are there specific visa and immigration statuses for victims of crimes?**

Yes. For victims of sexual assault, domestic violence, dating violence and stalking, there may be other visa options, including U and T Visas. For specifics, talk to an immigration attorney.

#### **U visa**

-For victims of substantial physical or mental abuse as the result of certain criminal activity, including sexual abuse, domestic violence, rape, assault, or other related crimes

-Victim/applicant must be a victim of qualifying criminal activity and likely to be helpful to the investigation and/or prosecution of that criminal activity

-Generally valid for four years

-For more information, consult an immigration attorney, and see:

<http://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status>

#### **T visa**

-For victims of human trafficking

-Must comply with reasonable requests from law enforcement for cooperation in investigation or prosecution of trafficking act(s) (unless unable to cooperate because of physical or psychological trauma), and must be able to demonstrate that the victim/applicant would suffer extreme hardship if removed from the United States

-Generally valid for four years

-For more information, consult an immigration attorney, and see:

<http://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-human-trafficking-t-nonimmigrant-status>

### **Is there an office on campus that can provide me additional information?**

The Global Engagement Office can provide useful information regarding immigration status. Note that for questions regarding changes to other visa statuses, or legal options that

fall outside of standard F-1 and J-1 student visas, or employer-sponsored work visas, consult a qualified immigration attorney.

<b>Visa Options</b>	
<b>F-1 and J-1 status students</b> <ul style="list-style-type: none"> <li>Options for reduced course-load approval due to medical conditions certified by a licensed medical doctor, doctor of osteopathy, or licensed clinical psychologist</li> <li>Options for, and consequences to, withdrawing from your academic program</li> <li>Information about returning to the academic program at a later date, if the student chooses to withdraw</li> <li>Options and consequences for accompanying spouses</li> <li>General information on options for changing visa status.</li> <li>General information on U and T visas. (Referral to a qualified immigration attorney)</li> <li>Referral to a qualified attorney</li> </ul>	<b>H-1B, O-1, E-3, or TN employees</b> <ul style="list-style-type: none"> <li>Options for a work leave of absence, and consequences to your immigration status</li> <li>Options and consequences for accompanying spouses</li> <li>General information on options for changing visa status. Referral to a qualified immigration attorney</li> <li>General information on U and T visas. (Referral to a qualified immigration attorney)</li> <li>Referral to a qualified immigration attorney</li> </ul> <b>Pending U.S. permanent residents (green card not yet approved)</b> <ul style="list-style-type: none"> <li>Impact of leaving your employment on your pending employer-sponsored permanent resident application;</li> <li>Referral to a qualified attorney</li> </ul>

## What is an immigration lawyer and what do they do?

Immigration lawyers are licensed attorneys who specialize in the field of immigration law. They function as the client's advocate, and can represent them before immigration agencies, both in immigration court as well as in filing applications for immigration benefits. The lawyer can give general advice and can discuss immigration options. Like all lawyers, immigration lawyers are bound by professional ethical and legal requirements, and keep client discussions confidential.

## Where can I find a local immigration attorney?

U.S. Citizenship and Immigration Services (USCIS), a bureau of the Department of Homeland Security (DHS), offers two sites to help individuals find free or low-cost legal representation:

<b>USCIS</b> <a href="#">Find Help in your Community Webpage</a>   <b>USCIS</b> <a href="#">Find Legal Services Webpage</a>
The Board of Immigration Appeals (BIA) provides a <a href="#">listing of attorneys by state who provide immigration services either for free or for little cost</a> .
The <a href="#">American Immigration Lawyers Association</a> (AILA) offers an online <a href="#">Immigration Lawyer Referral Service</a> that can help a student or scholar find an immigration lawyer.
The American Bar Association also provides information on <a href="#">finding legal services</a> by state.