



Victim's Rights Overview

SOU is committed to fostering a safe and supportive community. Unfortunately, there are times in which members of our campus find themselves to be victims of sexual assault, stalking, domestic violence and dating violence and other forms of gender based discrimination. In order to provide support for these individuals, SOU would like to ensure that victims are aware of their rights and options for resolution.

Victim's Rights Under SOU

- To be treated with respect by University officials.
- To take advantage of campus support resources (such as the Student Health and Wellness Center's counseling and medical services, the Office of Student Support & Intervention for students, or Employee Assistance Program (EAP) services for employees).
- To experience a safe living, educational and work environment.
- To have an advisor or union representative/accompanist during this process.
- To refuse to have an allegation resolved through conflict resolution procedures.
- To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- To be free from retaliation.
- To have grievances heard in substantial accordance with our policy.
- To be informed in writing of the outcome/resolution of the grievance, sanctions where permissible and the rationale for the outcome where permissible.
- Referral to law enforcement for assistance.
- Continued access to housing and living accommodations.
- No contact orders (orders placed by university administrators and/or Campus Public Safety) appropriate to the circumstances, prohibiting the responding party from engaging the grievant about the grievance or its underlying events.

University Options

A report of sexual assault to most university employees will trigger a mandatory report to the Title IX team and may require an investigation. Additionally 3rd party reports may also trigger an investigation. Discussing sexual assault or violence with confidential entities can slow the process down and provide the victim with more options.

Confidential Resources:

The confidential advisor is an important resource that can walk victims through all of their options whether they are related to the university process, civil process, or criminal process. We encourage victims to meet with Angela Fleischer to understand the full range of options.

Confidential Advisor (541)552-7079

Confidential Advising Options:

- Support

- No Action
- Title IX (university)Process
- Legal Options
- Confidential Advising
- Anonymous Online Reporting site
(https://jfe.qualtrics.com/form/SV_7R7CCBciGNL473L)

Confidential Advocates

- Women’s Resource Center Coordinator (541) 552-6216
- Queer Resource Center Coordinator (541)-552- 6488
- Multicultural Resource Center Coordinator (541)552-8793

Counseling Staff at the Student Health and Wellness Center (541)552-6137

Title IX Process

The Title IX process is the university administrative process in response to sexual misconduct and gender based-discrimination. The process tends to proceed in the following steps:

1. Initiated with Notice of Concern
2. Formal Report from victim is taken by Confidential Advisor
3. Fact-finding Investigation is conducted by Title IX Team
4. Resolution- Hearing/Grievance process is used to determine responsibility
5. Appeals are available to the victim and the respondent

More information about the Title IX process can be found in the Equal Opportunity, Harassment and Sexual Misconduct Policy

<https://inside.sou.edu/assets/policies/docs/SAD007-equal-opportunity-harassment-sexual-misconduct-policy.pdf>

Title IX Coordinators

Marjorie Trueblood-Gamble

Taylor Burke

Casey Clithero

Alana Lardizabal

Jody Waters

Legal Options

Victims also have the right to pursue legal processes in addition to or in lieu of the university process. Victims can pursue either civil processes or criminal process. If victims need more help in determining what process or options might be best for them, we encourage them to speak with confidential advising on campus or meet with members of the Jackson County Sexual Assault Response Team.

Civil Legal Options

Victims can usually pursue the following options without involvement of the criminal process:

- File a complaint to the Office of Civil Rights of the Department of Education
 - You can file the complaint electronically through the online reporting site <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.
- Civil Protective Orders: Petition court for protective/restraining order (Sexual Abuse Protective Order, Restraining Order, etc.)
- Stalking Orders
- Civil Law Suits: Sue perpetrator or other responsible parties, including companies, landlords, institutions, etc., for personal injury or other civil claims.

Civil Protections can also be pursued:

- Housing
 - Domestic violence, stalking, and sexual assault victims can break a lease and request to have locks changed by the landlord.
 - Landlords cannot discriminate or retaliate against domestic violence, stalking, or sexual assault victims.
- Employment
 - In some situations victims can receive unemployment insurance, if you quit for domestic violence, stalking, or sexual assault and safety reasons.
 - Employer cannot refuse to make a reasonable safety accommodations
 - Employer cannot discriminate or retaliate against victims of domestic violence, stalking, or sexual assault.
- Name Change Options
 - Victims looking at changing their names for protection can work with confidential advising and/or look at the following link: <http://courts.oregon.gov/OJD/docs/selfhelp/NameChangePacket.pdf>

Criminal Process:

1. Criminal Process starts with a police report
2. May be followed by an arrest
3. District Attorney decides whether or not to file charges
4. Charges are brought before a grand jury – they decided whether or not to indict
5. If there is an indictment case proceeds and can include a plea bargain or a trial.
6. If accused is found guilty there is another meeting for sentencing.

Victim's Rights in the Criminal Process

Although victims have rights under Oregon law, some of these rights may need to be requested before they go into effect.

Automatic rights:

- Be notified of your rights as soon as practicable

- Have a personal representative or support person with you
- Attend any open court proceeding
- Speak at a release hearing or sentencing
- Prompt restitution
- Protect your personal identifiers from the defendant
- Obtain a copy of a transcript or recording of open court proceedings if one is already made. (You may be charged for the transcript or recording)
- Refuse to speak to an attorney or private investigator for the defendant

Rights upon request:

- To be informed in advance of any critical stage of the proceedings held in open court when the defendant will be present. In Oregon law “critical stages” are defined as follows:
- To obtain information about the conviction, sentence, imprisonment, criminal history and future release from physical custody of the criminal defendant or convicted criminal
- In a violent felony case, to be consulted by the district attorney about plea negotiations and the final plea agreement
- To be notified when the convicted person is released from prison
- If the crime involved transmission of body fluids, testing of the defendant for HIV and other communicable diseases
- To limit copying or distribution of visual or audio recordings of sexual conduct by a child or invasion of personal privacy
- To allow no coverage of sex offense proceedings by media television, photography, or recording equipment
- Ongoing involvement in any court actions that happen after the conviction such as appeal, post-conviction or federal habeas proceedings

Community Supports

Sexual Assault Victim Services (SAVS) advocates are available 24 hours a day, 7 days a week by calling 541-779-4357 or 855-216-2111. This service is free and confidential. Community Works SAVS Advocates are *not* mandated reporters, which full privilege is granted by Oregon State Law.

The Jackson County Sexual Assault Response Team works to bring survivors Healing, Justice and Hope, to hold offenders accountable, and to help prevent sexual violence through community involvement and change. This organization offers free medical care, forensic evidence collection, emotional support and a survivors' support group.

jacksoncountysart.org

541.840.0904

Jackson County Victims' Assistance Program [[website](#)] The primary goal of the Jackson County Victim Assistance Program is to provide support, information and resources to victims of both adult and juvenile crimes committed in Jackson County. The program provides advocacy services to crime victims and assists them as they move through the criminal justice system.

<https://jacksoncountyor.org/da/Victim-Services/Victim-Assistance-Program>
541.744.8187

You Have Options Program provides an online reporting form that gives you the option to make an anonymous report to Ashland Police Department. The website provides comprehensive information about reporting options, frequently asked questions about sexual assault reporting, and local resources for victims/survivors of sexual assault. <http://www.reportingoptions.org/>

[Ashland Police Department \(541\) 482-5211](#)

[Medford Police Department \(541\) 774-2250](#)

[Sherriff's Office \(541\) 774-6800](#)

This document is only meant to highlight some of the rights afforded to victims, and is not meant to be seen as a comprehensive document. Additionally, this document is not intended to provide legal advice. To learn more consider talking with an attorney or the university officials listed above. Created Summer 2016.