

## If you experience sexual assault or other misconduct:

- Get to a safe place.
  - If there is safety issue, please call the police, either UCCS Police (719-255-3111) or CSPD (911).
- Preserve evidence:
  - Avoid showering, brushing your teeth, or throwing away clothing.
  - Keep any texts messages or emails.
  - Screenshot any social media posts.
  - Keep any journals and write down anyone you tell about the event.

If you need medical assistance:

- Go to Memorial Hospital (1400 E. Boulder St.) for a Sexual Assault Nurse Exam (SANE). You can get a SANE even if you don't pursue a criminal investigation. If you are worried about costs, talk to your nurse for options.
- If during business hours, you can get medical treatment (but no SANE) at the Student Wellness Center for free. If you can, have a friend or support person go with you.

## If you experience any kind of sexual misconduct, you can:

- Notify the police, either on-campus or off-campus
- Decline to notify the police
- Be assisted by UCCS Police in notifying off-campus police
- Students can talk confidentially to the Wellness Center (719-255-4444).
- Report to the Title IX Coordinator (719-255-4324) who will discuss options, including support measures such as, counseling, no-contact orders, and academic accommodations with you.

All policies and procedures for sexual misconduct and discrimination/harassment (including an up-to-date list of protected class statuses) can be found on the Office of Institutional Equity Website. Additionally, investigation procedures, student rights, and a student resource guide are on the website.

<https://equity.uccs.edu/>

# #SMARTMOVEUCCS

## RESOURCES

## UCCS Policy Prohibits

- Sexual Assault
- Sexual Exploitation
- Sexual Harrassment
- Intimate Partner Abuse
- Stalking
- Protected Class Discrimination/Harassment
- Related Retaliation

## CAMPUS REPORTING OPTIONS FOR STUDENTS

### Confidential Reporting

**Wellness Center**  
719-255-444  
Gallogly Recreation and  
Wellness Center

### UCCS Police

719-255-3111  
police@uccs.edu  
Gateway Hall

### Office of Institutional Equity

719-255-4324  
equity@uccs.edu  
Main Hall, 201

### Office of the Dean of Students

719-255-3091  
dos@uccs.edu  
Main Hall, 202

**All UCCS Faculty and Staff are mandatory reporters.  
To speak confidentially about a  
harassment/discrimination or sexual misconduct  
violation, please contact the Wellness Center.**

# Colorado State Law Definitions

## Consent:

### Colo. Rev. Stat. Ann. § 18-3-401 (West 2013).

"[Per Colorado Revised Statute, consent means] cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent under the provisions of the statute. Submission under the influence of fear shall not constitute consent."

## Sexual Assault:

### Colo. Rev. Stat. Ann. § 18-3-402 (West 2013).

(1) Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

- (a) The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or
- (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
- (c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
- (d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or
- (e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or
- (f) the victim is in custody of law or detained in a hospital or other institution and the actor has supervisor or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or
- (g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for less than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or
- (h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

## Domestic Violence:

### Colo. Rev. Stat. Ann. § 18-6-800.3 (West 2007).

- (1) Means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic violence" also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.
- (2) "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

## Dating violence:

### Violence Against Women Act, 79 Fed. Reg. at 62,784.

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- (i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- (ii) For the purposes of this definition—
  - (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

## Stalking:

### Colo. Rev. Stat. Ann. § 18-3-602 (West 2014).

(1) A person commits stalking if directly, or indirectly through another person, the person knowingly:

- (a) Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or
- (b) Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or
- (c) Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

(2) For the purposes related to stalking above:

- (a) Conduct "in connection with" a credible threat means acts that further, advance, promote, or have a continuity of purpose, and may occur before, during, or after the credible threat.
- (b) "Credible threat" means a threat, physical action, or repeated conduct that would cause a reasonable person to be in fear for the person's safety or the safety of his or her immediate family or of someone with whom the person has or has had a continuing relationship. The threat need not be directly expressed if the totality of the conduct would cause a reasonable person such fear.
- (c) "Immediate family" includes the person's spouse and the person's parent, grandparent, sibling, or child.
- (d) "Repeated" or "repeatedly" means on more than one occasion.

## University Sexual Assault Definitions:

Fondling: touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because the victim's age or because of the victim's temporary or permanent mental incapacity

Rape: the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of all persons, and is properly applied regardless of the age of the victim, if the victim did not consent or if the victim was incapable of giving consent.

Statutory Rape: sexual intercourse with a person who is under the statutory age of consent if the victim consented and the offender did not force or threaten the victim.

Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

