Thank you for attending the on Sexual Misconduct and Power Based Personal Violence. We appreciate your commitment to this important issue.

As you know, Vanderbilt prohibits the offenses of domestic violence, dating violence, sexual assault, stalking, and sexual harassment. We are sending this additional information for your review and reference in the future. The PowerPoint slides from the training are attached for your reference as well.

**Prevention / Bystander Intervention**

There are certain behaviors that may lead to and result in sexual violence, and one should avoid reaching judgment about guilt or innocence about a reported incident. However, there are things we all can do to protect ourselves and lessen the chances of sexual misconduct. Information regarding risk reduction is attached to this email.

Bystanders can have a powerful impact on the prevention of sexual violence and the interruption of the sequence of events. Each of us can make a difference by stepping in when we see something that looks wrong. If you observe someone in trouble, getting pressured, or at risk, don’t just walk away. Get involved, if you can do so safely and without risking injury to yourself. Stand up, don’t stand by.

- Look out for others. “Sorry, this isn’t happening.”
- Use a “separation strategy.” “Your car’s being towed.” “I need to talk to you about something.” “Come on, let’s get something to eat.”

Vanderbilt has partnered with Green Dot, a national program that focuses on preventing power-based violence through community involvement. Green Dot teaches bystander intervention techniques—ways to recognize high-risk situations for power-based violence and intervene appropriately and effectively.

**Requests by Victim**

If a student requests that an investigation not take place and/or that they not have their name disclosed in the investigation, those wishes, as well as factors such as the safety of the campus, are taken into account by the Title IX Coordinator in making the decision on whether an investigation should move forward.

**Definitions under Policy and Tennessee Law**

The definitions discussed in the training are set out in the Sexual Misconduct and Other Forms of Power Based Personal Violence Policy, which can be found at:

In addition, the following conduct is prohibited by Tennessee law:

*Rape* is a serious crime. Rape is defined under Tennessee law as the sexual penetration of any part of a person’s body by use of force or coercion without the victim’s consent or ability to give consent. T.C.A 39-13-503.

*Sexual battery* is also a serious crime. Tennessee law defines sexual battery as any sexual contact by use of force or coercion without the victim’s consent or ability to give consent. T.C.A 39-13-505.

Tennessee law also prohibits *domestic violence*, which is abuse committed by a person against a current or former spouse; by adults who are living together or have lived together; or by adults who are dating, have dated, or who have had sexual intercourse. T.C.A 36-3-601.

*Stalking* is also prohibited by Tennessee law. Stalking refers to a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel afraid. T.C.A. 39-17-315.

**Other information:**

There are *interim measures* which are available in these situations. They are set out in the Sexual Misconduct Policy as well.

The EAD uses the preponderance of the evidence *standard of proof* in its investigations. If you have questions about the investigative process, please contact EAD.

**Sanctions** include a range of steps up to and including expulsion for students and discharge for employees. Discussions with students are important opportunities to make a difference; not reporting an incident to the EAD may constitute failure to fulfill an obligation which you have as a faculty member.

To help *preserve evidence*, it is important for the victim not to change clothes or bedding and not take a shower, douche, or clean up until police have had a chance to gather evidence. If a victim has already changed clothes or cleaned up/showered, evidence may still be collected. Leave any clothes or bedding unfolded and undisturbed, if possible. If clothing or bedding must be moved, try to keep each item separate to prevent transfer of body fluids or other trace evidence. Do not delete or destroy any text messages, emails, voicemails, written notes, gifts, photographs, Twitter or Instagram messages, or any other documents that may be relevant.

**Investigations:**

Vanderbilt provides a prompt, fair and impartial investigation which will be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, sexual harassment, and stalking. The process is designed to protect the safety of victims and to promote accountability.
For cases of sexual assault, domestic violence, dating violence, and stalking, there are additional requirements under the Campus SaVE Act. For example, the accuser and accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. In addition, when those offenses are involved, the complainant and respondent are notified simultaneously of the outcome of any disciplinary proceeding, the procedures for appeal, of any change in the results prior to them becoming final, and when those results become final.

**Crime Log / Statistical Information:**

Under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), certain University officials have a duty to report statistical information regarding sexual assault, domestic violence, dating violence, and stalking occurring on campus or on non-campus property controlled or utilized by the University or students. Personally identifiable information is not included, but information must be provided to VUPD regarding the nature of the incident, the date it occurred, and its general location (e.g., on or off-campus, in residential housing, or in the surrounding area) for publication in the Annual Security Report. In addition, VUPD maintains a Daily Crime Log, which is available at [http://police.vanderbilt.edu/crime-info/daily-crime-log/](http://police.vanderbilt.edu/crime-info/daily-crime-log/).
Sexual misconduct and power based personal violence can take many forms. In addition to physical violence, threats, intimidation, and isolation are but a few tactics that an abuser might utilize. Not all people subjected to sexual misconduct and/or power based personal violence are at risk for all of these behaviors.

A person is never responsible for being sexually assaulted. That responsibility belongs to the offender. It is important to understand that a number of sexual assaults involve alcohol consumption. The #1 date rate drug is alcohol. A person who is incapacitated due to alcohol (or drugs) cannot give consent for sexual activity. Underage consumption of alcohol is prohibited. Remember that date rape drugs such as rohypnol, GHB, and Ketamine, can’t be tasted in sweet drinks.

Drinking to excess makes it harder to recognize and leave an unsafe situation. If you choose to consume alcohol, be mindful of your safety. Don’t binge drink. Know your limits. Eat a meal prior to drinking. Don’t party or leave with someone you don’t know. Have a designated driver or friend who will walk you home.