

*Protecting Ohio's Families*



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**Ohio Attorney General's  
Campus Sexual Assault  
Initiatives Report**

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Report  
**August 2018**



**MIKE DEWINE**  
OHIO ATTORNEY GENERAL



Dear Ohioans,

College campuses should be safe learning environments for all students. Unfortunately, sexual violence has been far too common in the student population.

To address the problem, my office created a campus sexual assault grant program in 2015 using Victims of Crime Act (VOCA) funds to support projects and initiatives to strengthen campus sexual assault victim advocacy programs and to tie those efforts in with community victim services. These grants enabled colleges and universities to invest in providing programming, education, and awareness about sexual violence and prevention, as well as to increase services for victims.

My office also conducted 10 Campus Sexual Assault and Investigation Trainings throughout the state at college and university campuses. The trainings attracted more than 700 attendees, including campus staff and law enforcement officers, as well as local law enforcement and victim support advocates from the surrounding campus communities.

In addition, my office worked with Columbus State Community College on a campus sexual assault pilot project. We began this project by issuing recommendations for crafting a memorandum of understanding (MOU) between critical campus community partners who respond to reports of campus sexual assault. Using that guidance, Columbus State collaborated with its community partners, including the Columbus State University Police Department, the Columbus Division of Police, the Franklin County Prosecutor's office, and the OhioHealth Sexual Assault Response Network of Central Ohio (SARNCO) to create their own MOU that verifies each party's responsibilities and the collaborative efforts needed to respond to sexual assaults and other crimes of violence on Columbus State's campus.

I want to express my appreciation to everyone on the Columbus State Campus Sexual Assault MOU Pilot Project. They devoted many hours to the creation of a comprehensive MOU for the benefit of their campus. This report summarizes our campus sexual assault grant program and the Columbus State Campus Sexual Assault MOU Pilot Project and will be shared on my office's website.

Very respectfully yours,

Mike DeWine  
Ohio Attorney General

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## **I. Introduction and Background on the Ohio Attorney General’s Sexual Assault Initiatives in Higher Education**

In 2015, the Ohio Attorney General’s Office (AGO) took action to address the need for greater advocacy for sexual assault victims and related services for college and university students in Ohio. The AGO arranged funding through federal Victims of Crime Act (VOCA) grants to assist victims of sexual assault and helped steer the creation of community-based memorandums of understanding (MOUs) for cohesive sexual assault response efforts on college and university campuses.

To realize the grant initiative, the AGO used funding from VOCA to award grants to Ohio’s public and private colleges and universities and to other nonprofit community groups. Many institutions used the grant money and Ohio students benefitted.

In addition to the grants, the AGO worked with Columbus State Community College (CSCC) in Columbus, Ohio, to create the Campus Sexual Assault MOU Pilot Project. The impetus for the MOU was to formalize – in a document that serves to clearly identify each partner’s role and responsibilities – the actions by community partners who respond to reports of sexual assault on campuses. The MOU initiative at CSCC is designed to help secure a collaborative response to sexual assaults.

## **II. Campus Sexual Assault Grant Recipient Updates**

In June 2015, the AGO announced it would award grants to public and private Ohio institutions to fund projects and initiatives to assist victims of sexual assault on campuses. By August 2015, the AGO began accepting applications for the grants. The grants are managed by the AGO’s Crime Victim Services section and are paid for with VOCA funds. Since the fall of 2015, 11 public and private institutions have accepted these grant funds in the aggregate total amount of over \$1.1 million.

The institutions used the money to finance a variety of initiatives and programming, including:

- The creation of community sexual assault response teams (SARTs) and SART coordinators to organize help for survivors of sexual violence.
- The hiring of full-time advocates and the training of peer advocates.
- The hiring of, or arranging contracts with, domestic violence counselors, mental health counselors, and sexual assault nurse examiners (SANE) nurses.
- The creation of promotional materials and the organization of trainings for students and staff.

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*“In past years, (Wittenberg University has) not had the ability to provide ongoing counseling for survivors of violence. This lack of services has caused additional strain on many survivors leading to lowered GPAs and in some cases a need to leave campus. When these individuals have to forgo their education for this care, it is a true tragedy. . . . It is our goal that these students will be able to make progress in their recovery while continuing their education.”*

*– Brooke M. Wagner, Ph.D., director of Wittenberg University’s Womyn’s Center*

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### **Campus-specific initiative highlights:**

#### *A. Defiance College*

Defiance College, in Defiance, Ohio, used grant money to properly equip a room for the purpose of sexual assault evidentiary exams. Lynn A. Braun, M.A., PCC-S, assistant dean of campus wellness, and director of counseling and accessibility services, explained that prior to equipping the facility, there was no community rape crisis center within a reasonably accessible distance for the Defiance College community. Some of the money was also used to supply the waiting room with literature and information about sexual violence.



*“(The VOCA grant) has been a game changer!”*

*– Lynn A. Braun, Defiance College’s director of counseling and accessibility services*



## B. Wittenberg University

Wittenberg University also expressed gratitude for the grants. Brooke M. Wagner, Ph.D., director of Wittenberg University's Womyn's Center, said the grants benefitted the campus "in a multitude of ways." With the money, the college was able to employ a counselor on campus to assist student survivors of power-based violence. It was also able to train two student advocates (peer advocates) through a partnership with Project Women, a community organization. The advocates learned to organize support groups and spread awareness about the resources available to survivors. The college also used the money to engage the university's SART coordinator to collaborate with community partners, to build a cohesive campus sexual violence protocol and assure that best practices are being met in policy and procedures, and to provide campus training for faculty and staff on those policies. The work of peer advocates is a good example of the positive effect from the grant funding. Wagner detailed how this academic year, the peer advocates won the Positive Contribution to Community Health and Wellness Award on campus.

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*"We are very proud of the impact our peer advocates have had in our community. Receiving this award during our second year of having the peer advocate program reflects the contribution to campus culture and impact made by our advocates. Currently, our peer advocates worked with Project Woman to create a 'What I Was Wearing' display challenging victim-blaming beliefs for campus. This display showcases examples of clothing worn by survivors during an act of sexual violence in order to reflect the harm caused by comments and questions about what survivors wore before an assault."*

*- Brooke M. Wagner, Ph.D., director of Wittenberg University's Womyn's Center*





### C. Kent State University

Kent State University also made exemplary use of the VOCA funds to increase awareness of the sexual-assault and victim-support services available on campus. Specifically, Kent State used the grant to pay a graduate assistant to provide outreach and awareness programming and to help pay a support-services coordinator. Both individuals help staff the Kent State Office of Sexual and Relationship Violence Support Services (SRVSS).<sup>1</sup> The graduate assistant played a pivotal role in the university holding a robust month of events in October 2017 and April 2018. An example of one of the outreach and awareness initiatives included teaming up with Kent State campus cafes to promote and advertise SRVSS by printing contact information and statistics about sexual violence on coffee cup sleeves.<sup>2</sup> According to Jennifer E. O’Connell, Kent State’s director of SRVSS, her office was able to provide comprehensive support service to 44 students who have been affected by sexual or relationship violence since October 2017.



*“Since October 2017 (the start of this year’s grant), SRVSS has provided comprehensive support service to 44 students who have been impacted by sexual or relationship violence.”*

*– Jennifer E. O’Connell, director of Kent State’s Office of Sexual and Relationship Violence Support Services*



Overall, as a result of the initiatives and programs paid for by these grants, recipient institutions reported providing services to more than 870 victims. In addition to the known influences, there is an immeasurable positive effect from the additional resources and trainings that benefit all in those communities.

<sup>1</sup> Kent State University, SRVSS, <https://www.kent.edu/srvss/about-us>.

<sup>2</sup> KENTWIRED.com, “Coffee sleeves and support services” (April 11, 2018), available at [http://www.kentwired.com/latest\\_updates/article\\_0a7903ee-3d9f-11e8-aeb6-2fb3cf74eb81.html](http://www.kentwired.com/latest_updates/article_0a7903ee-3d9f-11e8-aeb6-2fb3cf74eb81.html).

### **III. Campus Sexual Assault Memorandum of Understanding Pilot Project with Columbus State Community College**

The goal of creating a campus sexual assault memorandum of understanding (MOU) is to bring together community partners who are able to communicate and tap into shared resources, to create and implement successful strategies to reduce sexual assaults and other crimes of violence on and around campuses, and to better address the needs of victims and all students. In an effort to unify college and university campus partners who respond to reports of sexual assault, the Ohio Attorney General's Office (AGO) worked internally to identify who has an active role in responding to such complaints. The community partners identified are the campus administration and law enforcement, community nonprofit victim support groups, local law enforcement, and the local prosecutor's office.

Collaboration among these partners serves to maximize efficiency and quality in responding to reports of assault, while also minimizing inconsistencies or duplication of efforts. Working together ensures that victims have access to sufficient resources, while also balancing the legal and ethical requirements to ensure due process and fair treatment of all involved. It was determined that a formalized MOU would best reflect such collaboration and guide consistent response processes.

To help steer the creation of an MOU, the AGO sought the advice and feedback of members of institutions and community partners to create "Recommendations for Crafting a Memorandum of Understanding Between Critical Partners Responding to Reports of Campus Sexual Assault" (Appendix A). As reflected in this guidance document, the AGO acknowledged that many institutions already have individual memorandums with local law enforcement, local crisis centers, and local victim support groups. What was typically missing was a formal agreement among all partners to streamline efficiencies and strengthen services.

Columbus State Community College (CSCC) agreed to become a pilot institution for the Campus Sexual Assault MOU project, with its administration and campus police participating. The Columbus Division of Police and the Franklin County Prosecutor's Office also joined the group, as well as the Sexual Assault Response Network of Ohio (SARNCO) through OhioHealth as the primary victim advocacy partner. Prior to this project, CSCC already had working partnerships with each of these partners, which made growing the relationships into a larger effort to form the MOU a natural next step.

The AGO assisted in arranging multiple meetings to work through the MOU-building process. Members convened on: Dec. 3, 2015, May 17, 2016, Nov. 14, 2016, March 3, 2017, and, Aug. 24, 2017. During these meetings and in the intervening time periods, the group created an MOU outlining each party's expectations in responding to a sexual assault report on campus, and how the parties would work together to provide consistent services and responses. The meetings promoted communication and encouraged significant input from all parties' perspectives. The efforts to unify responses to, and protocols on, sexual assault complaints required creativity and consideration of the institution's compliance with federal regulations on educational and prevention requirements. Through these efforts, the MOU was finalized and entered into by all parties in December 2017. (Appendix B, "Memorandum of Understanding Between Columbus State Community College, the OhioHealth Sexual Assault Response Network of Central Ohio (SARNCO), the Franklin County Prosecutor's Office Victim Witness Assistance Unit, and the Columbus Division of Police" (CSCC MOU).





*“Columbus State Community College deeply appreciates the leadership of the Attorney General in bringing together key strategic partners to do this very important work. Together, we are able to accomplish so much more than we could accomplish individually. Our joint efforts have dramatically increased our overall service approach to victims.”*

*– Kimberly Hall, Esq., senior vice president and general counsel*

**COLUMBUS STATE**  
COMMUNITY COLLEGE

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## **A. CSCC MOU Parties**

The first hurdle in creating the MOU was to identify the appropriate partners for CSCC’s Columbus campus community. Relying on the partnerships CSCC had already developed, the following became parties to the agreement:

- **Columbus State Community College (CSCC)** – CSCC is a public, two-year state community college that serves more than 25,000 students across its two campuses, five regional learning centers, and through online course instruction.<sup>3</sup> Many key administrators dedicated time and resources to accomplish the MOU. The colleges’ Office of Equity and Compliance, as well as its own sworn police department (the Columbus State Police Department), played active roles in driving the MOU process. Kimberly L. Hall, Esq., senior vice president and general counsel, signed the CSCC MOU on behalf of the college.
- **OhioHealth Sexual Assault Response Network of Central Ohio (SARNCO)** – SARNCO is a nonprofit, community-based program of OhioHealth whose mission is to “empower all survivors and end sexual violence.”<sup>4</sup> SARNCO offers comprehensive services for victims of sexual assault – from prevention education and training to emergency room advocacy, and to aftercare advocacy for survivors to promote healing, support and empowerment. SARNCO is centrally located just a few miles from CSCC’s Columbus campus and offers a variety of 24-hour hotlines and other services. Heather Herron-Murphy, manager of outpatient services, signed the CSCC MOU on behalf of SARNCO.

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<sup>3</sup> Columbus State Community College website at <https://www.csccl.edu/>.

<sup>4</sup> OhioHealth.com website available at <https://www.ohiohealth.com/services/neuroscience/our-programs/behavioral-and-mental-health/sarnco/>.

- **The Victim Witness Assistance Unit of the Franklin County Prosecutor’s Office** – The Victim Witness Assistance Unit, created in 1975, provides assistance to victims of violent crimes, including sexual assault, stalking, and domestic violence, in “navigating the criminal justice system.”<sup>5</sup> Several of the services the advocates provide include: assistance with obtaining protective orders; accompaniment to court proceedings; support in preparing victim impact statements; support in making referrals to social services; and for serving as liaisons between the victims and assistant prosecuting attorneys. Franklin County Prosecuting Attorney Ron O’Brien signed the CSCC MOU on behalf of the unit.
- **The Special Victims Unit of the Franklin County Prosecutor’s Office** – The Special Victims Unit handles crimes of violence against women and children, including cases involving sexual assault, domestic violence, stalking, and child abuse.<sup>6</sup> The prosecutors in this unit are trained to handle these cases from indictment to verdicts, and they work closely with victim advocates throughout to ensure the best results for victims of each case. Franklin County Prosecuting Attorney Ron O’Brien signed the CSCC MOU on behalf of the unit.
- **The Special Victims Bureau of the Columbus Division of Police** – The Special Victims Bureau responds to crimes of violence such as sexual assaults, felony domestic violence, and stalking cases in the city of Columbus.<sup>7</sup> In conjunction with these cases, investigators in the unit work with victim advocacy groups. Chief Kim Jacobs signed the CSCC MOU on behalf of the Columbus Division of Police.

See CSCC MOU, Article II, pp. 1-2, 6. Collectively, these parties cover the multiple jurisdictions where sexual assaults may occur within the CSCC community and each partner provides varying levels of responsibility in reporting, investigating, and prosecuting or adjudicating these crimes and acts of misconduct. Additionally, each partner plays an important role in providing support services and resources for prevention of sexual assault, as well as care to victims of these crimes and acts of misconduct within the CSCC community. Each serves to protect and positively affect CSCC students and employees.

## B. CSCC MOU Goals

Keeping in mind the purpose of the CSCC MOU, to “broadly set forth the respective collaborative roles of each party as it pertains to responding to allegations of sexual assault, domestic and dating violence, and stalking on [CSCC’s] main campus and regional learning centers [located in the Columbus area],” the main action areas of the MOU focus on clarifying jurisdictional boundaries and response protocols to reports of sexual assault and similar crimes. Additionally, the MOU focuses on victim support services and programming, streamlining information-sharing among the parties, and communication, outreach and training services. See CSCC MOU, Article III – VI, pp. 2-5.

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<sup>5</sup> Franklin County Prosecuting Attorney website available at <https://prosecutor.franklincountyohio.gov/criminal-division/victim-witness-unit>.

<sup>6</sup> Franklin County Prosecuting Attorney website available at <https://prosecutor.franklincountyohio.gov/criminal-division/special-victims-unit>.

<sup>7</sup> See City of Columbus website available at <https://www.columbus.gov/police/>.

### C. CSCC MOU Implementation Updates

CSCC’s director of equity and compliance and Title IX coordinator, Renee Fambro, described the CSCC MOU as having, “formalized the solid working relationships already formed between the parties,” and that, “since the implementation of the (CSCC) MOU, our relationships have continued to develop and mature.”

#### Initiatives between SARNCO and CSCC:

The collaboration between CSCC and SARNCO has increased since entering into the CSCC MOU. The college provides contact information for SARNCO on its Title IX webpage (including SARNCO’s 24-hour Rape Hotline).<sup>8</sup> The relationship is strengthened through CSCC’s established primary point of contact with SARNCO, Jill Davis, the SARNCO campus prevention coordinator, and is demonstrated through multiple shared events at the campus.



*“Creating the MOU with Columbus State bolstered our agency’s capacity to serve Franklin County and Columbus State’s commitment to creating an educational community that promotes the respect and dignity of all people, and where everyone is safe to learn and pursue their full potential.”*

*– Jill Davis, SARNCO campus prevention coordinator*

In March 2017, Davis presented, “Cultural Competency: Working With Survivors of Sexual Misconduct” at CSCC to students and faculty. Then, in August 2017, CSCC consulted and collaborated with Davis on its yearlong “Know It. Name It. STOP IT!” stalking and intimate partner violence awareness campaign.

In October 2017, SARNCO hosted the workshop “Media, Gender, Sexuality and Healthy Intimacy,” on CSCC’s campus. The workshop, which was open to the entire college community, was featured as part of Domestic Violence Awareness Month and complimented the “Know It. Name It. STOP IT!” campaign. At the workshop, SARNCO shared important information about the role of media in perpetuating sexual stereotypes and offered skill-building strategies to move past these stereotypes to create opportunities for safe and healthy relationships. Also, during the past year, CSCC sought and received Davis’ review and feedback on the college’s Sexual Misconduct Policy and Procedure.



<sup>8</sup> CSCC Title IX webpage available at: <https://www.csccl.edu/services/title-ix/resources.shtml>

In April 2018, as part of the College's Women's "Courageous Conversations" series, CSCC hosted Tarana Burke as the keynote speaker.<sup>9</sup> Burke is the senior director of the Brooklyn-based nonprofit Girls for Gender Equity. The event included resource tables featuring representatives from SARNCO and the Franklin County Prosecutor's Victim/Witness Assistance Unit.

### **Initiatives between law enforcement partners:**

Similar to CSCC's Office of Equity and Compliance working with partners to perpetuate the CSCC MOU, the Columbus State Police Department (CSPD) has also made significant efforts.



*"The process of completing this sexual assault MOU has been extremely valuable to Columbus State because (it) helped us connect with our partners (and) talk through and document our process before it is needed during an emergency. Ultimately, this work has created a safer campus for our community."*

*– Sean T. Asbury, CSPD chief*

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Many of these efforts are between CSPD and the Columbus Division of Police, and are in response to action items listed in Article III of the CSCC MOU. Among the examples:

- CSCC's jurisdictional maps are programmed into the computer-aided dispatch (CAD) system of the Columbus Division of Police.
- CSPD protocols for emergency call responses are up-to-date and established in the CSPD procedure.
- CSPD has ensured that its "Procedures Victims of Sexual Misconduct are Encouraged to Follow" in the college's "2017 Jeanne Clery Annual Security Report" are in accordance with those outlined by SARNCO.
- Top leadership from CSPD will attend quarterly Franklin County/Central Ohio Sexual Assault Response Team (COSART) meetings to ensure CSPD stays informed on trauma-informed care and protocols.
- Protocols are in place for CSPD to secure the scene and take the initial report for crimes of sexual assault, and then the Columbus Division of Police will respond to the scene and will assume the primary investigation of the crimes. Investigation includes the collection and processing of evidence. This protocol is established in the CSPD procedure.

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<sup>9</sup> CSCC Campus Life webpage available at: <https://www.csc.edu/campus-life/courageous-conversations/>

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*“The MOU creation process was an overall positive experience that helped formalize existing relationships between our division and the Columbus State Police Department, and it brought to light to the other partners the role and responsibilities we each have in serving our shared jurisdictional areas.”*

*– Alex Behnen, commander, Columbus Division of Police, Special Victims Bureau*

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#### **D. Future CSCC MOU Initiative Plans**

Future efforts are already being planned, driven by the SARNCO and CSCC partnership. One recommendation from SARNCO to CSCC was to use campus climate surveys as a way to guide prevention efforts. In April 2018, in conjunction with the Ohio Department of Higher Education, CSCC launched a student survey to help guide its efforts to better understand perceptions of the climate at the college in order to be able to better respond to, and prevent, sexual misconduct. Answers from the survey will also help the campus measure its recent efforts.

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*“The MOU process led by the Attorney General’s Office modeled effective campus-rape crisis center partnerships, SARNCO initiated MOUs with more than six additional colleges and universities in central Ohio. We have tailored the MOU to meet the distinct needs of each campus community.”*

*– Jill Davis, SARNCO campus prevention coordinator*

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Collaboration between CSCC’s Office of Equity and Compliance and the Franklin County Prosecutor’s Office Victim/Witness Assistance Unit is also intended to occur in the near future to learn more about each office’s core functions and services, and to further develop ways to work together to best support victims of sexual violence.



*“I was happy to work on the Sexual Assault Memorandum of Understanding for, and with, Columbus State Community College. I think it was great that community partners came together to work on such an important issue as campus sexual assaults. Hopefully, and most importantly, this MOU between us, CSCC, the Ohio Attorney General's Office, SARNCO, and others, will help any current or future students should they ever need assistance.”*

*– Ron O'Brien, Franklin County prosecuting attorney*

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In contemplating the future impact of the CSCC MOU, Renee Fambro, CSCC Title IX Coordinator, was clear that, “Columbus State will continue to foster and strengthen these important partnerships in order to support our joint goal of creating and maintaining a successful strategy to prevent and respond to sexual assaults and other violent crimes.”

Additionally, SARNCO has taken its experience from this MOU process with CSCC and has been able to enter into six additional MOUs with other central Ohio campus communities—tailoring to each ones’ specific needs.

With the additional campus community MOUs SARNCO is “more vast than ever before” according to Jill Davis, SARNCO’s campus prevention coordinator. In fact, more than 1,600 individuals at Franklin County colleges and universities have received prevention education in the past academic year through SARNCO partnerships.

As reflected by these successes, the MOU pilot project has provided great value to all partners.

#### **IV. Conclusion**

Both the VOCA grants and MOU project have already assisted and positively affected many students and campus communities throughout Ohio. The college and university VOCA recipients made good use of the funding to support sexual assault victims and lead education and prevention efforts. Additionally, the CSCC MOU initiative is a great example of community partnerships working together to prevent, protect, and support local campus communities in the effort to stop sexual assault violence on university and college campuses.

## Appendix A

### RECOMMENDATIONS FOR CRAFTING A MEMORANDUM OF UNDERSTANDING BETWEEN CRITICAL PARTNERS RESPONDING TO REPORTS OF CAMPUS SEXUAL ASSAULT

University and college Presidents, faculty and staff, local and campus law enforcement, prosecutors, community and campus victim advocates, rape crisis, and domestic violence centers are all necessary partners in the creation of a comprehensive and effective response to allegations of sexual assault, domestic and dating violence, and stalking on Ohio's campuses. Each of these parties brings important skills and perspectives that should be shared through established protocols included in a Memoranda of Understanding ("MOU"), signed by these partners.

**Purpose:** The purpose of the MOU is to set forth the respective roles of each party and to memorialize their agreement as to each party's responsibilities and shared collaborative efforts in responding to reports of campus sexual assaults. The process of developing an MOU fosters open communication among the parties and helps to build relationships necessary to create a successful strategy to reduce sexual assaults and other crimes of violence. These partnerships are also vital in efforts to change the culture and restore trust and confidence among victims, the accused, families, and the public in how our institutions of higher education and the criminal justice system respond to these crimes. An MOU should address goals, such as how to:

- a) promptly engage services to provide support to victims of sexual assaults, domestic and dating violence, stalking or other crimes of violence and continue those services through final resolution of the matter;
- b) build and maintain good relationships with law enforcement so victims will have confidence to promptly report a sexual assault;
- c) clarify parties' obligations to ensure that investigations of sexual assault and other crimes may be completed in a fair and impartial manner, including protocols to be followed during evidence collection and preservation;
- d) foster a shared understanding of requirements placed on the parties by state and federal laws as related to sexual assaults and other crimes of violence on college campuses;
- e) enhance safety and security both on and off campus and in the community, and change the culture surrounding sexual assaults on campus through education and collaborative prevention activities, including offender accountability; and
- f) encourage regular training on sexual violence among the parties, including trauma informed investigation and response to victims, and means to better prosecute cases within the criminal justice system.

Many campuses have existing memoranda with law enforcement or local rape crisis centers, as well as policies and procedures in place to meet their obligations under both state and federal laws. Ohio's institutions of higher education differ in campus type (residential or commuter), location and resources (rural, city, or county services), and physical size and population. Each of these variables will affect the individual needs of a campus and the surrounding community. Any MOU should be responsive to these unique factors. This may require additional agreements, as deemed appropriate. There may be specific matters to be addressed between the local crime victim advocacy services that differ from matters of concern to law enforcement or a prosecutor. An MOU should be flexible to meet new needs that arise, which may necessitate further discussion and agreement.



When identifying subjects and scenarios to be addressed in an MOU, Ohio's public and private colleges and universities and their local partners in campus safety - law enforcement, prosecutors, and community victim services - are encouraged to include the considerations discussed in this document.

I. Define jurisdictional boundaries and response protocols.

(1) Do you have a map of jurisdictional boundaries consisting of:

- (a) the location of all University-owned property (i.e. on campus),
- (b) University owned or controlled off-campus housing,
- (c) all property owned by University recognized student organizations, and
- (d) public property contiguous to the University campus?

(2) What are the protocols for responding to emergency calls within established jurisdictions by campus security/police, local police, or a sheriff?

**Are You Prepared? Things to consider:**

**Who responds to these reports of criminal activity?**

- Campus Police receive a report of a sexual assault at an off campus party.
- Local Police receive a report of a victim being stalked by her ex-boyfriend. The victim lives on campus, but the perpetrator lives off campus.
- A student is raped in a hotel room reserved by the University for a study abroad program.

II. Victim Response.

(1) What are the means to provide victims of sexual assaults prompt access to comprehensive services and information on resources available both on campus and in the surrounding community? Is there a list of contact information for services, such as: victim advocacy organizations, hospitals capable of conducting Sexual Assault Forensic Examinations ("SAFE"), counseling services, immigration assistance for international students, special victims unit police officers, and the Title IX coordinator on campus? Will victims be informed of the levels of confidentiality and privilege applicable to these resources?

**Are you prepared? Things to consider:**

**Victim response and advocacy should be immediate upon report of a sexual crime for many reasons: to maintain victim's integrity and willingness to continue participating in the criminal justice process, to preserve evidence, to encourage reporting of crimes, to assist victim in recovery, etc. Do you have victims' advocacy services readily available to respond to a report of a crime?**

- (2) What are the means to ensure that victims are provided information about their rights and all available reporting options, which include contacting the local police and/or reporting through the University investigation process? Is there a pamphlet or guide that provides a clear understanding of rights and options that can be given to a victim?

**Are you Prepared? Things to consider:**

Has the victim been informed of institutional or judicial measures that may be available such as no contact, restraining and protective orders? Does the victim understand the process for obtaining these measures?

Is the victim aware of institutional assistance or interim measures that may be available through campus resources, on campus health and counseling resources, alternative transportation and housing options, alternative class scheduling, or tutoring options?

- (3) Are trauma informed techniques utilized when interviewing and interacting with victims, including, for example:
- (a) reducing the number of interviews with the victim;
  - (b) sharing interview transcripts to prevent duplicative interviews;
  - (c) conducting interviews with victims in “soft” rooms, rather than in a law enforcement type interrogation room;
  - (d) permitting a support person or a victim’s advocate to be present during interview; and
  - (e) conducting any follow up interviews during the course of an investigation consistent with the criteria enumerated above?
- (4) What are the means to encourage a victim to seek medical attention? Will the victim be assisted in locating and getting to medical care? What is the process to preserve evidence collected during a SAFE?
- (5) What is the process to ensure that institutional personnel, victim advocates, and investigators are trained on how to respond to a sexual assault report, including how to assist sexual assault victims and ensure a coordinated response?

**Are you Prepared? Things to consider:**

Have the individuals with roles in investigating and adjudicating sexual assault reports been trained to ensure that reports are handled consistently – in accordance with established processes and protocols? Consistency fosters fair resolution of issues, helps in criminal prosecution, maintains predictable disciplinary proceeding results, and ensures victims and accused are treated fairly.

- (6) What are the options available to protect victim confidentiality and for confidential reporting of an assault—meaning without disclosing personally identifiable information—under applicable state and federal laws and regulations. Is the victim informed that he or she may consent to sharing personal information?

**Are you Prepared? Things to consider:**

**Has the victim been informed of confidential resources that may be available on and off campus, including counselors, advocates, health care providers or other professionals and how to contact those resources?**

**III. Sharing of Information and Collaboration.**

- (1) Is there agreement among the parties to share information, trends, data, and analysis relating to sexual assaults on and off campus? How will this be done?
- (2) Are there regular meetings to discuss demographics, location, time, method of assault(s), names of involved parties and witnesses (to the extent this information is not confidential), physical and factual evidence, compiled data on patterns of assaults, and conclusions drawn from investigations?
- (3) Is there agreement to protect the disclosure of information under the Family Educational Rights and Privacy Act (“FERPA”) or other applicable laws, while also engaging in communication in order to maximize services provided to victims, ensure that investigations are fair, and discipline/sanctions or prosecutions are handled in a consistent and appropriate manner under applicable rules, law and processes? What provisions exist for sharing information so as not to compromise a criminal investigation?
- (4) Is there agreement to include protocols to address applicable laws, for example:
- (a) O.R.C. § 2921.22 requires that anyone with knowledge that a felony has been committed must report that information to law enforcement personnel, unless there is a privilege under law for non-disclosure [see O.R.C. § 2921.22(G)].
  - (b) The Violence Against Women Act requires that an institution of higher education respond to all reports of sexual assault, dating violence, domestic violence, and stalking, consistent with Title IX. The law also requires that each report of sexual assault, dating violence, domestic violence, and stalking is included in the institution’s annual security report (ASR).
  - (c) The Clery Act requires parties to share all legally-permissible information relating to crimes that may pose a serious or ongoing threat to the campus and community so the institution may determine if it is necessary to issue a timely warning or emergency notification.



- (d) To comply with the Clery Act, Colleges and Universities may request that local law enforcement compile all off campus, Clery-reportable crimes in a manner that can be shared with the institution in advance of the annual Clery reporting deadline.

**Are You Prepared? Things to consider:**

City police officer responds to call involving an act of sexual violence at an off-campus location. Officer learns that either the victim or the accused is a student at the local college. This needs to be reported immediately to the institution so it can comply with various applicable federal regulations, including Title IX for disciplinary investigation purposes, the Clery Act for timely warnings analysis, and VAWA for education/prevention programming and awareness campaigns. Immediate reporting also allows the University of College to determine if a H.B. 1219 hearing (Ohio Revised Code Sections 3345.21-26) is necessary, to consider suspension of a student arrested for a crime of violence near campus.

What is the manner, mechanism, or technology for sharing information? Are there any costs associated? Will these be shared among the parties?

- (5) Will Parties need workspace within respective headquarters, suitable for report-writing, interviews, and any other operational purposes in furtherance of the MOU been addressed?
- (6) Have the parties agreed to regularly meet to review operations, the MOU, and any other agreements made in furtherance of the MOU's purpose?
- (7) Is there agreement on a standard protocol for investigations and preservation of all evidence related to sexual assaults or other crimes of sexual violence on campus?  
Such a protocol may address:
- (a) local police policies for use of body cameras or any other video or audio recording device during the response to, and investigation of, a sexual assault and the storage of any footage or recorded statements;

**Are you Prepared? Things to consider:**

Police officer responds to a call that a student has been raped in a campus stairwell. When the officer arrives and comes into contact with the victim can the officer mute his body camera, block the lens, or turn off the camera? What if the victim requests that the officer mute, block, or turn off the camera?

- (b) sharing of information, statements, photos, records, evidence, or other materials obtained during investigations;
- (c) prompt, fair and impartial investigations through final resolution for both victims and the accused.

**Are you Prepared? Things to consider**

**Has the accused been given a clear description of the investigative and possible disciplinary procedures? Has the accused been given access to resources and afforded rights as provided under applicable laws and established processes?**

- (d) collection, custody, control, and preservation of records and evidence;

**Are You Prepared? Things to consider:**

**Victim is transported to hospital for treatment and examination. Once the exam is performed, who will collect and preserve evidence? Does the hospital employ a SANE?**

**Will the evidence be made available upon request among the parties?**

- (e) nature and extent of confidentiality available to victims, the accused, and/or witnesses under law and the manner in which confidentiality will be maintained;

**Are you Prepared? Things to consider:**

**Your Police Department receives a report of dating violence. The Police Officer goes to the victim's apartment. The Officer knows that the boyfriend is no longer at the apartment. What should the officer do to protect the privacy of the victim's identity and her home? What if the boyfriend is still in the apartment?**

- (f) anonymous reports, including the limitations associated with investigation of an anonymous report; and
- (g) role and responsibility of a party's personnel or offices in response to a report of sexual assault from, time of report through resolution— perhaps through formation of Sexual Assault Response Teams (“SART”) or Advisory Boards.

**Are you Prepared? Things to consider:**

**How long does a party retain records or other evidence relating to sexual assault, stalking, or dating/domestic violence? Does this match an applicable criminal statute of limitations?**

**Who is a member of your SART: victim advocates, officers/investigators trained in handling sensitive crimes, a sexual assault nurse examiner (“SANE”)? Does your team provide support services from report through prosecution, transport of victims for medical treatment, to court or for other services?**

- (8) What are the method, manner, and timing for engaging the local prosecutors in a sexual assault investigation and the process for prosecutorial assistance?

**Are you Prepared? Things to consider:**

**Your campus has a STEM academy with junior and high school students regularly in attendance. A 16 year old student claims that he was sexually assaulted by a college freshman. What is your protocol for dealing with crimes involving minors?**

**Does your victim advocate, investigator, SANE, or forensic nurse who provides assistance to the victim through the process also provide assistance to the Prosecutor and/or during disciplinary proceedings? These individuals could serve as a factual and/or expert witness, especially on the behavior of trauma victims, and/or how drugs or alcohol impact memory, the ability to form consent and make decisions, and their effect on other physical and cognitive abilities?**

**IV. Prevention**

- (1) Do the parties acknowledge the importance of working together to create a culture that does not tolerate sexual assaults, dating and domestic violence, or stalking?

**Are you Prepared? Things to consider:**

**Do you have local awareness campaigns and prevention programming for incoming students? On an ongoing basis for returning students? For faculty and staff?**

**Do you know the level of trust students have in your process for addressing sexual assaults? Have you conducted a climate survey?**



- (2) Is there agreement to cooperate in the development and implementation of an outreach plan to raise awareness and build trusting relationships between institutions, law enforcement and community victim services? Outreach efforts may include discussions on safety and crime prevention with students, parents, and staff during orientations and other community events, or distribution of information through websites or social media.

**Are you Prepared? Things to consider:**

What avenues exist to encourage victim participation in the reporting process in order to obtain the assistance of law enforcement?

Do law enforcement and the prosecutor participate in campus prevention programming, discussing sexual assaults and other crimes? Does your institution have open communication and regular interaction with these partners?

Does your institution offer safety escort programs, text-a-tip hotlines, or emergency notification systems that are shared with local law enforcement?

- (3) Do the parties collaborate on educational programming? Does this programming use evidence-based strategies to prevent sexual assault? Such strategies may include:
- (a) bystander intervention education programs;
  - (b) programming that addresses the roles that drug and alcohol abuse—and cultural messages about alcohol and drug abuse—play in instances of sexual violence, focusing on changing campus culture to improve both reporting and reduction of instances of sexual violence;
  - (c) sexual violence education programs on what constitutes sexual assault, dating violence, or intimate partner abuse; and
  - (d) programs on awareness of perpetrator tactics, especially within the Greek community and athletic organizations, and on understanding consent.

**V. Training**

- (1) Are training opportunities to be conducted on a regular basis [quarterly, semi-annually, yearly]?
- (2) Is training conducted by subject matter experts on topics relevant to addressing reports/crimes of sexual assault, dating/domestic violence, and stalking? Such as:



- (a) trauma-informed investigative techniques when communicating with a victim of a sexual assault or other sensitive crime;
  - (b) available crime victim services and advocacy resources, how to access and utilize those resources, and appropriate contact information;
  - (c) fair and unbiased investigation protocols for interviewing the accused, witnesses, or other parties and protocols for the secure collection and preservation of evidence;
  - (d) presentations by local prosecutors on investigation and prosecution of sexual offenses through the criminal justice system;
  - (e) presentations on the responsibilities, policies, and procedures of Universities and Colleges under the Clery Act, Title IX, FERPA, SaVE Act, and HIPPA, with regard to acts of sexual assaults and other crimes of violence within their jurisdictions;
  - (f) Ohio laws applicable to sexual offenses, confidentiality, and the impact of a criminal investigation and prosecution of sexual assault on university administrative actions; and
  - (g) the role and utilization of crime victim advocates and forensic nurses as fact and expert witnesses in either a Title IX mandated proceeding or in a criminal prosecution.
- (3) Has consideration been given to cross-departmental training and, as appropriate, including University students and personnel involved in the reporting, investigation, disciplinary process (hearing officers, hearing panels, or other administrative officials), and other individuals who may have a role or responsibility in the handling of a sexual assault in training opportunities?
- (4) Do the parties agree to collect data and conduct regular evaluations of these trainings? Will the parties use these evaluations to improve the effectiveness of trainings and to modify content, as needed?

VI. Other Considerations

- (1) Inclusion of terms regarding the effective period, renewal and termination of the MOU.
- (2) Inclusion of an evaluation mechanism to review the effectiveness of programs and other actions taken as a result of the MOU.
- (3) Address in detail all terms relating to indemnification or other possible financial obligations, such as for outreach and training costs, under the MOU.

## **Appendix B**

### **MEMORANDUM OF UNDERSTANDING BETWEEN COLUMBUS STATE COMMUNITY COLLEGE, THE OHIOHEALTH SEXUAL ASSAULT RESPONSE NETWORK OF CENTRAL OHIO (SARNCO), THE FRANKLIN COUNTY PROSECUTOR'S OFFICE VICTIM'S ASSISTANCE UNIT, AND THE COLUMBUS DIVISION OF POLICE**

This Memorandum of Understanding (MOU) is hereby entered into by Columbus State Community College ("the College"), the OhioHealth Sexual Assault Response Network of Central Ohio (SARNCO), the Franklin County Prosecutor's Office Victim's Assistance Unit, and the Columbus Division of Police (collectively, the "Parties"). It reflects the Parties' collective understanding that college Presidents, faculty and staff, local and campus law enforcement, prosecutors, community and campus victim advocates, rape crisis, and domestic violence centers are all necessary partners in the creation of a comprehensive and effective prevention planning and response to allegations of sexual assault, domestic and dating violence, and stalking on Ohio's campuses.

#### **I. Purpose**

The purpose of this MOU is to broadly set forth the respective collaborative roles of each Party as it pertains to responding to allegations of sexual assault, domestic and dating violence, and stalking on Columbus State Community College's main campus and regional learning centers. The intent in developing this MOU is to foster open communication among the Parties and help build relationships necessary to create a successful strategy to prevent and respond to sexual assaults and other crimes of violence. The Parties agree that the MOU should be flexible, and that they will periodically meet to assess issues that may necessitate further discussion and modifications to the terms of this MOU. The Parties understand that this MOU is not intended to supersede any existing memoranda between the College with law enforcement or local rape crisis centers, or policies and procedures presently in place to meet obligations under state and federal laws.

#### **II. Description of Partner Entities**

Serving more than 25,000 students across two campuses, multiple regional learning centers, and the region's most extensive online offerings, Columbus State is one of the largest and most comprehensive colleges in Ohio. Columbus State is an Achieving the Dream Leader College due to its commitment to evidence-based development of programs and services designed to ensure student success.

SARNCO is a nonprofit, community-based program of OhioHealth dedicated to the elimination of sexual violence in all its forms. SARNCO provides free, confidential services including a 24-hour Rape Helpline, survivor advocacy, community prevention education and training for professionals. SARNCO provides empowerment-based services that focus on healing, support, and justice for victims of sexual assault.

The Franklin County Prosecutor's Office Victim Witness Assistance Unit assists crime victims as they navigate the criminal justice system. Its victim advocates provide courtroom accompaniment, support, referrals, resources, and court notification to victims of violent crime,

including sexual assault, domestic violence, and stalking. The advocates provide assistance with protection orders, victim rights issues, victims of crime compensation, victim impact statements and numerous additional services.

The Franklin County Prosecutor's Office Special Victims Unit handles all crimes of violence against women and children, interpersonal violence, stalking, and more. The Unit handles all Franklin County sexual assault cases where the offender is an adult. There are designated prosecutors dedicated to handling these cases from the very beginning; each prosecutor indicts his or her own case, and follows it through to the end of the court process. The Unit works closely with the victim advocates to ensure the best result for the victim in each case.

The Special Victims Bureau of the Columbus Division of Police handles all sexual assaults, felony domestic violence, and stalking cases in the city of Columbus. Investigators often work with advocacy groups while working these cases.

### **III. Jurisdictional Boundaries and Response Protocols**

- A. The College agrees to ensure that the Columbus Division of Police has access to a map of jurisdictional boundaries that identify the location of all College-owned property on and off the campus and public property contiguous to the College campus.
- B. The College agrees to review its existing protocols and, if necessary establish new protocols for emergency call responses by Columbus State Police or the Columbus Division of Police.
- C. The College agrees to consult with SARNCO for guidance on protocol development to advise on trauma-informed care.
- D. The Franklin County Prosecutor's Office and the Columbus State Police Department agree to collaborate to establish protocols for the method, manner, and timing for engaging the local prosecutors in a sexual assault investigation and the process for prosecutorial assistance.

### **IV. Victim Response**

- A. The College is committed to providing students and employees with prompt access to comprehensive services and information on victim resources available both on campus and in the surrounding community.
- B. SARNCO agrees to:
  - 1) Appoint a qualified Coordinator of Services to focus on making services accessible to and appropriate for students and employees referred by Columbus State.

- 2) Make 24-hour Rape Helpline services available to students and employees of Columbus State.
- 3) Provide confidential crisis intervention, advocacy, emotional support, community resource information, and accompaniment to hospital and law enforcement services as requested by students and employees.
- 4) Provide students and employees of Columbus State with information about how to file a complaint with Columbus State, how to report a crime to campus or local law enforcement, and offer to assist students and employees with filing a complaint or report.

C. Columbus State agrees to:

- 1) Identify a central point of contact for SARNCO staff to provide victim resource information.
- 2) Provide training to SARNCO staff about: College resources that are available to student and employee victims of sexual assault; the federal and state requirements for colleges in responding to sexual assault; reporting procedures for victims who wish to file a report with College law enforcement and/or a complaint with College officials; the student code of conduct and disciplinary process; and the educational accommodations that can be provided to victims of sexual assault.
- 3) Provide printed and online materials about reporting options for students and employees, including information about how to file a complaint with Columbus State, how to report a crime to College or local law enforcement, and how to report a crime confidentially through SARNCO or a widely distributed confidential helpline.
- 4) Inform SARNCO about the reporting obligations of College employees and identify those College employees with whom students or employees can speak confidentially (and any exceptions to that confidentiality).
- 5) Inform SARNCO about the College's prohibitions on retaliation, how allegations of retaliation can be reported, and what protections are available for students or employees who experience retaliation.
- 6) Ensure availability of the Title IX Coordinator or designee to meet on an as-needed basis with the SARNCO Coordinator.
- 7) Have in place protocols for handling complaints of other forms of sexual violence, including dating violence, intimate partner violence, domestic violence and gender-based stalking in compliance with state and federal law.

**V. Sharing of Information and Collaboration**

- A. The Parties agree to establish a process for sharing information, trends, data, and analysis relating to sexual assaults on and off campus. The Parties further

recognize their respective information-sharing obligations under O.R.C. § 2921.22 (requiring that anyone with knowledge that a felony has been committed must report that information to law enforcement personnel, unless there is a privilege under law for non-disclosure); the Violence Against Women Act (requiring that all reports of sexual assault, dating violence, domestic violence, and/or stalking be responded to by an institution of higher education consistent with Title IX and reported in the institution's annual security report); and the Clery Act (requiring obligated parties to share all legally-permissible information relating to crimes that may pose a serious or ongoing threat to the campus and community so the institution of higher education may determine if it is necessary to issue a timely warning or emergency notification).

- B. SARNCO and Columbus State affirm the importance of providing students and employees with options for confidential services and support. All services provided by SARNCO to students and employees of Columbus State will be kept confidential except in the following circumstances:
- 1) If the student or employee wants information shared with Columbus State or local law enforcement, the student or employee will execute an informed consent for release of the information. When releases of information are required, they will be written, informed, and reasonably time-limited.
  - 2) SARNCO will provide Columbus State aggregate non-identifying data about incidents of sexual violence and other reportable offenses to include in its annual Clery Act security report and to help Columbus State identify patterns or systemic issues related to sexual violence. No personally identifying information will be provided for Clery Act or other purposes.
  - 3) In accordance with federal or state laws requiring disclosure when the reporting victim presents with an imminent risk of harm to the reporting victim or others involved in the reported conduct or to the campus/community at large, the SARNCO Coordinator and the College Title IX Coordinator will determine who will be notified; in what form; what information will be provided to the victim regarding this disclosure; and what steps will be taken to protect the victim from the imminent risk.

## **VI. Communication, Outreach and Training**

- A. The Parties agree to cooperate in the development and implementation of an outreach plan that demonstrates and raises awareness of relationships of services offered between institutions, law enforcement and community victim services agencies. Outreach efforts may include discussions on safety and crime prevention with students, parents, and staff during orientations and other community events, or distribution of information through websites or social media.
- B. If requested by Columbus State, SARNCO agrees to:

- 1) Ú Conduct satisfaction surveys or use other methods to assess the effectiveness of the services provided to students and employees.
- 2) Ú Meet with Columbus State's Title IX Coordinator or designee on an as-needed basis to share information about: the needs of victims, trends in sexual assault services provided, additional services that are needed by students and employees, and the effectiveness of the school's sexual assault prevention and response program.
- 3) Ú Discuss with the College the contract terms under which SARNCO would provide training to the appropriate College staff on the incidence and prevalence of sexual assault, myths about sexual assault, the physical and emotional effects of sexual assault on victims, the neurobiology of trauma, and appropriate methods for interviewing and communicating with victims.
- 4) Ú Discuss with the College the contract terms under which SARNCO would assist Columbus State with the development and provision of prevention programming and training to faculty, staff, students and school officials. (See Addendum for specific programming and training).

## **VII. Term and Termination**

This MOU shall become effective on the date that all signatories have executed the MOU, and shall continue for one (1) year. Thereafter, this MOU shall automatically renew for successive one (1) year terms. Any Party may elect to terminate this MOU at any time, effective upon receipt of written notice to the other Parties.

## **VIII. Notifications**

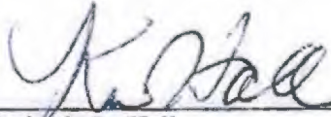
Notification of any amendments to this MOU shall be provided to the named signatories below on behalf of each Party.

## **ADDENDUM – PREVENTION PROGRAMMING AND TRAINING**

### Tier System:

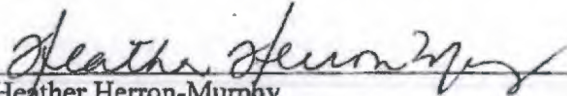
- a. Level 1
  - i. MOU
  - ii. Helpline
  - iii. Helpline advertisement (keytags/posters)
  - iv. Prevention Ed DBSU component (annually)
    - 1. BI and Relevance statistics
  - v. Policy review
    - 1. Policy implementation process review
      - a. Reporting procedures
      - b. Support
    - 2. Sexual Misconduct policy
- b. Level 2
  - i. MOU
  - ii. Helpline
  - iii. Helpline advertisement (keytags/posters)
  - iv. Prevention Education for students DBSU (annually)
  - v. Policy review
    - 1. Policy implementation process review
      - a. Reporting procedures
    - 2. Sexual Misconduct policy
  - vi. Train the Trainers for Faculty education
- c. Level 3
  - i. MOU
  - ii. Helpline
  - iii. Helpline advertisement (keytags/posters)
    - 1. Training campus advocates
  - iv. Prevention Education
    - 1. Student Bystander Education
    - 2. Student Speakers Bureau Trainings
  - v. Policy review
    - 1. Policy implementation process review
      - a. Reporting procedures
      - b. Support
    - 2. Sexual Misconduct policy
  - vi. Train the Trainer- for faculty education needs
  - vii. Prevention Outreach Campaign
- d. Add-ons
  - i. NARA-
  - ii. Spots at SARNCO Advocate Training (\$100)
  - iii. COSATF membership





Kimberly L. Hall  
Vice President and General Counsel  
Columbus State Community College

Date: 5/6/17



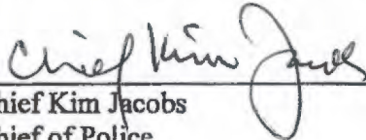
Heather Herron-Murphy  
Manager, Outpatient Services  
SARNCO

Date: 5/17/2017



Hon. Ron O'Brien  
Franklin County Prosecutor  
Franklin County Prosecutor's Office

Date: 11/20/17



Chief Kim Jacobs  
Chief of Police  
Columbus Division of Police

Date: 5-26-17/12-517



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# Ohio Attorney General's Campus Sexual Assault Initiatives Report

2018

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Ohio Attorney General's Office  
Education Section  
30 E. Broad St., 17th Floor  
Columbus, OH 43215

Education Section: 614-644-7250



**MIKE DEWINE**  
OHIO ATTORNEY GENERAL

[www.OhioAttorneyGeneral.gov](http://www.OhioAttorneyGeneral.gov)