

# Survivor

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stop remembering."

Paige woke up the next morning and could recall next to nothing about the night before. Her sorority sisters filled in the gaps.

Another woman from the sorority had followed them back to the fraternity house because her boyfriend did not trust Jared. The woman knocked on Jared's door, but Jared did not respond until her boyfriend began kicking on it. When Jared finally answered, both he and Paige were naked.

"All I thought happened was I was really drunk and made a fool of myself," Paige said.

But little things set the wheels spinning in Paige's head. She found it odd that the next day, Jared returned only her shirt, bra and shoes, saying that she had vomited on her pants and underwear. Jared told Paige she had gotten really sick the night before, and that he and some of the other fraternity members had taken care of her.

Upon being reached, Jared would not comment on either the police case or the University proceedings.

Later that year, one of Jared's fraternity brothers told Paige that he was not like "that guy (Jared)" and that he would not "do that" to her.

"I didn't really know anyone in the sorority until this year [and] I didn't really know what happened," Paige said. But "after that, I was like, I guess something else did happen."

The longer Paige spent at the sorority, the more comfortable she became — and the more the tales of that night started pointing to one conclusion. Then two other women in her sorority said they were raped by members of Jared's fraternity.

And Paige broke down.

She could not stop crying for days, she called her mom, and she began to look for help: Paige real-

## Area resources

**Sexual Assault Support Services**  
343-SASS  
**Office of Student Life**  
346-3216  
**ASUO Women's Center**  
346-4095

**Counseling Center**  
346-3227  
**Department of Public Safety**  
346-6666  
**UO Crisis Line**  
346-4488  
**Student Judicial Affairs**  
346-1141  
Source: Alliance for Sexual Assault Prevention

ized she had been raped.

## The process begins

Telling her family and friends was one thing — but sharing her story with University officials was quite another.

The first place Paige turned to for help was the Sexual Assault Support Services, where she spoke with an advocate who helped her determine the next step she wanted to take. Paige decided to report the assault to both the Eugene Police Department and the University.

To become a University case, an incident must include a violation of the Student Conduct Code that occurs among at least two students, and must have occurred on campus. If the incident did not occur on campus but significantly affected the victim's academic life, it may also stand as a University case.

"We have to be able to connect [the incident] to campus," said Chris Loschiavo, director of Student Judicial Affairs.

Loschiavo said he could not comment directly on Paige's case, but would discuss the University process in more general terms. Paige said her experience happened at the fraternity house, which makes it an off-campus incident. So instead, she proved that it impacted her academic life. After realizing what happened that night — more than a year later — Paige had to lessen her class load from 18 credits to 12, and stop her internship with the Girl Scouts.

Eventually the weight of knowing what had happened to her became

so great that Paige had to withdraw from spring term completely and live at home with her family.

The University offers sexual assault survivors three options in such a case — either a formal, informal or informative process — and each leads to several possible outcomes.

The formal process entails a hearing in which an 18-member panel of students and faculty members makes a ruling on the case. The informative process does not involve judicial action but instead focuses on coping with what happened.

Paige decided against the formal process because it would have required her to be in the same room as Jared, which she did not want. She was also afraid that those speaking on Jared's side of the case would place blame for the incident on her.

The formal process could also take months because all parties involved would need to schedule a common meeting time, and Jared would have the chance to appeal the board's decision.

Had she chosen the formal route, it might have led to Jared's expulsion. But Paige chose the informal route, in which students found guilty can't be expelled.

Through this avenue, Paige, Jared and all other witnesses separately shared personal sides of the story with Loschiavo, who then initiated the investigation. If Jared is eventually found guilty, he will not be able to appeal Loschiavo's decision. Instead, he could be forced to do any number of things, including participate in educational programs and

counseling, do community service, leave the residence halls or give up greek membership.

## Weighing the options

Sheryl Eyster, assistant dean of student life, helps students navigate through either the formal, informal or informative processes. She also helps survivors to realize the assaults were not their fault. Students who do not want assistance or judicial action may fill out anonymous forms to report the assault for statistical purposes, Eyster added.

But Eyster said she also helps point survivors of sexual assault in the direction of other campus and community resources available to them, such as SASS, the Student Health Center and the ASUO Women's Center.

Eyster said SASS is one of the most-used resources for sexual assault cases. The program offers legal, medical and support advocacy to sexual assault survivors as well as a 24-hour crisis and support line.

SASS Community Education Coordinator Katie Antos added that SASS members also explain the additional options available to survivors, such as restraining orders or rape-kit exams.

A rape-kit exam — which can only be done up to 72 hours after the incident — becomes important evidence in many criminal cases, said Sgt. Scott McKee of the Eugene Police Department. McKee supervises the EPD's violent crimes unit, which investigates sexual assault cases. He said physical evidence such as DNA and body fluid samples could determine whether the state prosecutes the suspect, but he added that such evidence is not always necessary.

"If someone gets a rape-kit exam, it does keep options open," Antos said. "But it's a very difficult time and difficult decision someone has to make in a short amount of time."

Although sexual assault survivors have an option to file a police report, Loschiavo said it is easier to find someone guilty in a conduct process than in a "court of law" because the standards of evidence are not as strict. He added that it is common for the same person found guilty through a conduct process to not be criminally convicted.

To be convicted criminally, the defendant must be proven guilty beyond a reasonable doubt. When Paige filed a report with the police, the case was closed due to lack of evidence against Jared.

The detective responsible for the police investigation had Paige tape-record a telephone conversation with Jared, Paige said. During the call, Jared told her she had been really drunk and that they had oral sex, she said — a different story from what he had told her before.

## Picking up the pieces

Reports of rape on and around campus are lower now, but Fitzpatrick said DPS has participated in meetings with representatives from the Women's Center, the University Health Center, the Counseling Center and the Office of Student Life to find ways of more accurately reporting sexual assaults.

Recently, the Clery Law, a federal law that requires colleges and universities to disclose information about crime on and around their

campuses, has been criticized because it does not require authorities to report crimes off campus grounds. Fitzpatrick said he plans to attend a conference in June that will address the law's vague wording — and that will hopefully teach campus representatives how to report crimes more accurately.

"We're making progress," he said. Paige's case is one the University may have to report this year because she told her story to DPS. The results of her case are still pending, but Paige said she expects them to come any day now.

Even if Jared is not found guilty through the conduct process, he may still have to undergo educational programs, such as counseling sessions, to teach him about the harms of sexual assault.

"The conduct process is not intended to be punitive," Loschiavo said. "It's more educational."

Loschiavo added that in most cases such as Paige's, both parties were drunk at the time of the assault and cannot clearly remember what actually happened — leading to inconsistent "he said/she said" stories. The conduct code states that a person cannot give consent when under the influence of alcohol, but sometimes the accused cannot be deemed guilty because memories of both sides are blurry.

"It doesn't mean it didn't happen," Loschiavo said. "The evidence just may not be there."

Paige said she cannot remember anything from that night after leaving the party. And Mary Wolf, an advocate with SASS, said it isn't uncommon for rape victims to block out certain parts of their experience. Black-outs are ways of coping with the bad things that have happened, Wolf said, and can result from a couple of factors. One might be that the trauma associated with the incident forced the victim to repress memories of the assault. Another possibility, Wolf said, are date-rape drugs, which are oftentimes slipped in drinks and cause temporary memory loss. "I know that does happen a lot among University students, because they are vulnerable at parties and the bars," Wolf said. The night of the incident was the first time Paige had ever been intoxicated, she said. And the guilt she felt about it stayed with her for a long time afterward.

"Whenever I'd get upset, I'd drink to forget about it. I always pushed it aside," Paige said. "I was affected by it, but I was trying to pretend it wasn't there."

Since she has faced the situation head-on, Paige said, that feeling has changed. With help from friends, family and counselors, she now knows it is nothing she should feel bad about.

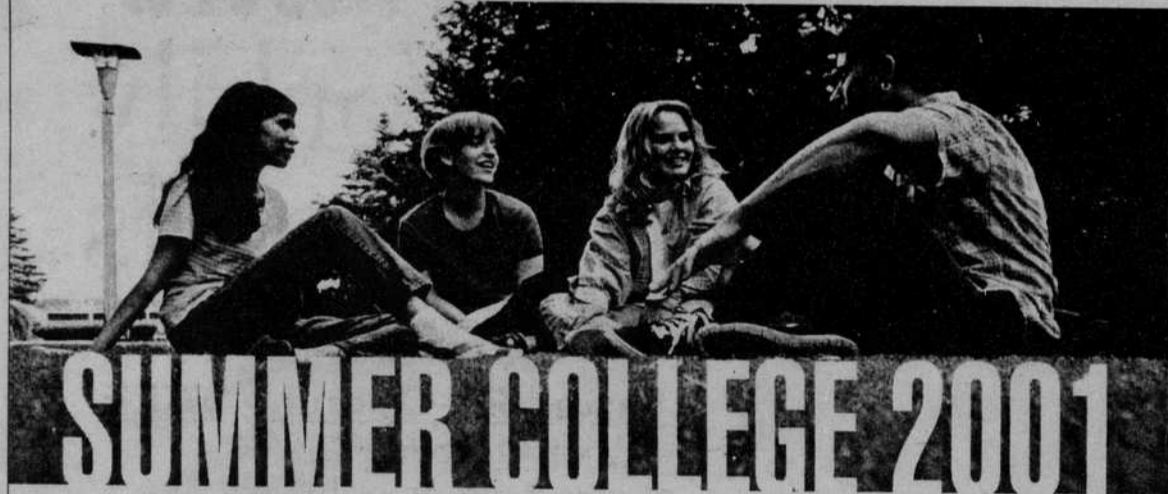
Not only that, Paige said, but she realizes that by putting a voice behind the stories of rape victims, by saying that what happened to her is not right, that maybe Jared and his fraternity will get the education they need to understand how rape affects women — and justice will have been served.

"I'm glad that I stood up," Paige said. "I think once more people start speaking up, then others will come forward."

*\*Editor's note: Both Paige and Jared have been given false names to protect their identity.*

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P.O. Box 3159, Eugene OR 97403

The Oregon Daily Emerald is published daily Monday through Friday during the school year and Tuesday and Thursday during the summer by the Oregon Daily Emerald Publishing Co. Inc., at the University of Oregon, Eugene, Oregon. A member of the Associated Press, the Emerald operates independently of the University with offices in Suite 300 of the Erb Memorial Union. The Emerald is private property. The unlawful removal or use of papers is prosecutable by law.

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