

Reporting Sexual Misconduct for UNH Students

If you have experienced something that you believe to be a crime or a violation of UNH policies (including sexual assault, relationship abuse, stalking and sexual harassment) you have the right to decide when and if you want action to be taken. As a member of the University of New Hampshire community you have several options, including seeking a criminal investigation, a university disciplinary process, or to focus on support and recovery. You may choose to take action through the University, law enforcement, both, or neither. and taking action through one system may have no impact on your ability to pursue to the other option. **Students may choose to report to UNH for a variety of reasons, they may report to UNH to access resources and supportive measures even if they do not choose to pursue a formal process.**

When making a report, students may wish for there to be a formal process related to the concern. **Regardless of whether a student requests a formal disciplinary process or they wish only to notify the school, they are entitled to receive supportive measures from UNH.** Below is a comparison of the two processes available through the criminal justice system and the university's disciplinary process.

SHARPP Advocates are available to confidentially discuss these options, answer questions, and provide support and advocacy throughout any process related to sexual assault, relationship abuse, stalking, and sexual harassment.

Reporting to Law Enforcement

Reporting to the University

	Reporting to Law Enforcement	Reporting to the University
Purpose	Typically, someone reports a concern to law enforcement because there is a violation of law that they would like to be criminally investigated or because they need immediate assistance	Students may make a report to UNH for a variety of reasons including wanting UNH to be aware of a concern, wanting to discuss support UNH can offer, or wanting UNH to formally investigate the situation.
Violation Type	Responds to and investigates behavior that is against the law in the state of New Hampshire	Responds to and can investigate behavior that is against UNH policies
Process Type	Criminal process	Administrative process
Guiding Regulations	Follows protocols set by the NH Attorney General's Office	Follows protocols set by state and federal laws, as well as university policy.
Beginning Steps to Formal Process	For sexual violence, requires the impacted person to participate in a minimal facts interview to collect basic information and is followed by a longer audio and video recorded interview to capture the impacted person's experience. The initial minimal facts interview is done by a law enforcement officer and the more in-depth interview is conducted at Strafford County Attorney's Office by specially trained non-law enforcement personnel. For relationship abuse, law enforcement may be obligated to pursue criminal investigation despite wishes of the impacted person.	For all experiences of violence, if a student wishes there to be formal follow-up, typically they must submit a formal written complaint requesting UNH to initiate an investigation. Impacted persons are entitled to supportive measures without a formal complaint being submitted, and are able to access supportive measures throughout a University investigation as well. In rare instances, the Title IX Coordinator may initiate a formal complaint without participation of the impacted person(s).
Statute of Limitations	For sexual assault experienced by an adult (over the age of 18), the person has 6 years to report. If it happened to a minor (under 18), can be reported until the impacted person is 40. <i>(Note: this is the case in New Hampshire. If this happened outside of NH, this may be different).</i> Other forms of violence can be reported for at least one year. This may vary depending on the experience and behavior.	There are no time constraints on how long you have after an incident occurred to file a complaint of sexual violence with the University; however, the passage of time may limit the evidence available. The status of the accused at the time of the complaint also affects the options available for response.
Investigator	Investigation is conducted by trained law enforcement personnel	Investigation is conducted by trained University personnel or trained contracted investigator who is not law enforcement.

Additional Information on back

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Evidence Collection	Can collect evidence such as text messages, medical evidence, social media posts, clothing, or other relevant items. Has the ability to issue subpoenas and require evidence to be released.	Can collect evidence such as text messages, social media posts, video recordings, journals, or other relevant information. Can utilize evidence provided that was collected by others such as medical evidence, police reports, and photographs.
Investigation Scope	Investigation will likely involve interviewing others with information about the incident such as friends, family, and the person accused.	Investigation will likely involve interviewing others with information about the incident such as friends, family, and the person accused.
Resolution Format	Decision to proceed with criminal charges is made by the County Attorney's Office and may be resolved in court or, if appropriate, through other channels such as mediation or arbitration.	Formal processes may be resolved through a hearing (decision made by a panel of other UNH students, faculty, and staff) or through an administrative process depending on the circumstances.
Standard of Evidence	Decision of guilt determined by jury based on beyond a reasonable doubt standard of evidence (99+% likely)	When a hearing is held, the decision about responsibility is made by a trained panel of 3 UNH community members based on a preponderance of evidence standard of evidence (50+% likely)
Possible Outcomes	If charged and convicted, can result in criminal outcomes such as fines, incarceration, probation, and counseling.	For students found responsible, can result in UNH outcomes such as probation, a period of suspension from the University or expulsion. For employees who are determined to have violated UNH's sexual misconduct policies, potential outcomes can include verbal or written reprimand, reassignment of duties, suspension or termination of employment.

To speak with a confidential SHARPP advocate:

- Call 24/7 helpline at (603) 862-7233
- Visit Wolff House M-F 8am-4:30pm
- Chat online M-F 9am-4pm at www.unh.edu/sharpp/chat-us

To initiate a criminal process or seek additional information:

- UNH Police if occurred on UNH property: 911 or (603) 862-1427
- Durham Police if occurred in town of Durham but not UNH property: 911 or (603) 868-2324

UNH police can assist in identifying and connecting to the appropriate agency if occurred outside of UNH community.

To initiate a University process or seek additional information:

Affirmative Action & Equity Office
Thompson Hall 305
(603) 862-2930