

PRESERVATION OF EVIDENCE

The College encourages all individuals to preserve evidence relating to reports of gender-based misconduct. Evidence may be important for an investigation under this Policy, for supporting a criminal investigation or prosecution, or in obtaining an Order of Protection or an equivalent protective or restraining order. Examples of evidence may include text messages, emails, social media communications, phone records, photographs, documents, clothing, bedding, and medical information.

Individuals who have experienced a recent sexual assault or act of physical violence are encouraged to seek medical care. In addition, individuals should consider seeking a Sexual Assault Forensic Exam (SAFE) at a local hospital, which includes assessment and treatment of injury, addressing concerns of pregnancy and sexually transmitted diseases, and collection of evidence. Sexual Assault Forensic Exams are free and free transportation can be arranged by contacting the Title IX Coordinator, Security, other College administrators, and BRAVE. In New York, individuals may undergo a Sexual Assault Forensic Exam without making a report to law enforcement. It is important not to bathe, wash, douche, smoke, change clothing, or brush one's teeth prior to the examination. If possible, it is also best not to take fluids or use the bathroom before the examination. For purposes of evidence collection, the Sexual Assault Forensic Exam should be conducted within 96 hours of an incident. If individuals do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. BRAVE counselors (845-758-7777) and the Rape/Sexual Assault Hotline (Dutchess County) (845-452-7272) can assist with access to this free medical examination and be an advocate to provide support and accompany you to the hospital. In addition, the Title IX Coordinator, Security, and other College administrators can assist with accessing a Sexual Assault Forensic Examination.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protective or restraining orders related to an incident more difficult. If a reporting individual chooses not to make a complaint regarding an incident, they nevertheless should consider preserving evidence and/or speaking with security, law enforcement, or the Title IX Coordinator regarding the preservation of evidence in the event that the reporting individual decides to report the incident to law enforcement or the College at a later date.